Court Life under the Plantagenets

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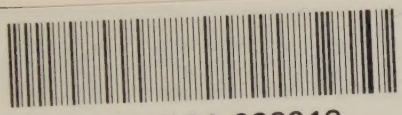
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COURT LIFE UNDER THE PLANTAGENETS

(*REIGN OF HENRY THE SECOND*)

BY

HUBERT HALL F.S.A.

OF H.M. PUBLIC RECORD OFFICE

Author of "Society in the Elizabethan Age" etc

WITH FIVE COLOURED PLATES IN FACSIMILE
BY RALPH NEVILL F.S.A. AND OTHER ILLUSTRATIONS

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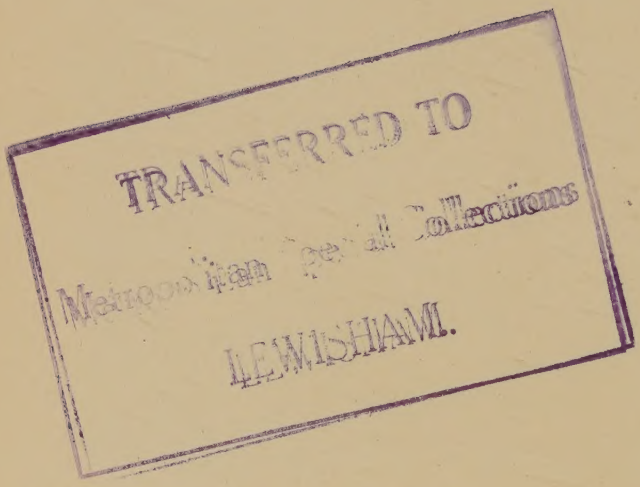

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PREFACE.

THIS little work commemorates many happy leisure hours spent amongst the Exchequer Records and in the Hertfordshire fields where was the favourite residence, seven hundred years ago, as it is to-day, of an English minister sprung from a line of great statesmen.

But although I had at first intended to follow the story of Richard Fitz Nigel in connection with his times, the want of historical material constrained me to choose another Hertfordshire worthy, a humbler Richard, as my hero, through whose adventures I have attempted to make the Reader familiar with Court Life in England at the close of the twelfth century.

It may be that at the outset many will take exception to a title of this sort applied to a work which contains no mention of some of the principal features of Court Life as it is now understood by us. The truth is, that to the mediæval student, and to the general reader, the title *Liber Curialis* conveys two wholly opposite meanings. To the one it will recall the politic and scholarly *entourage* of a court

whose acts have been recorded by historians like Richard Fitz Nigel, and whose table-talk was deemed worthy of preservation by philosophers like John of Salisbury; while to the other it will suggest infinite possibilities in the way of tournaments and feasting, of love-making and dark cabals.

I must admit that the Reader will find no scenes either of love or chivalry depicted in these pages, and that two leading characters, the knight errant and the jester, are wholly excluded; but these omissions are due to the exigencies of original research, which has not in this case been rewarded by any information upon those subjects. It is true that the domestic life of courts appears very much the same, on paper, in every period of history, and given such historical personages as Queen Eleanor, Fair Rosamond, and Hugo Earl of Chester, it might be thought that a reconstruction of these favourite passages was possible. I will own that I was tempted by the prospects of this enterprise, and thanks to an intimate acquaintance with "Amadis de Gaul," and the "Arcadia," I might even have ventured far in such a cause; but whereas those immortal works are endeared to us by their very impossibility, and I was conscientiously bent on reproducing for the benefit of the general reader such features of Court Life under the greatest of the Plantagenets as were actually recorded by contemporary chroniclers and essayists, I was reluctantly compelled to abandon this project. Indeed, the Court of Henry II. would seem to have been almost Oriental in its complete exclusion of female influences; and

yet its Queen was one of the most remarkable women of any age, and had once probably been well seconded by the French princess who presided over the rival court of the reigning heir to the throne. There were other able women besides these, of lesser rank, but their presence and mode of life at Court is wholly problematical; and though it would have been possible to give an authentic inventory of the fabric, colour, and price of their garments, from contemporary accounts, with certain epigrams at their expense by contemporary satirists, and even their portraitures when equipped for peaceful slumber, and the like, it must be admitted that these are scarcely sufficient materials for a purely historical reconstruction. For I have attempted in this book nothing less than the delineation of living characters and the description of existing institutions at a given period of a typical reign. Every personage acted and spoke almost precisely as represented in this narrative, and every event took place at the exact time and in the exact manner described here, as far as a conscientious process, unsparing of research, has enabled me to discover the historical truth. Indeed, it is scarcely too much to say that two-thirds of this book might be re-translated into the original Latin or Norman-French of the contemporary historian, or elsewhere that chapter and verse could be supplied for every statement or allusion from still more authentic records.

That I have made many mistakes, no one is more conscious than myself, and I may even venture to assert that this was inevitable without the co-operation of several great writers who have made the study of the life of the Manor, the Church, the

Schools, and the Law-courts their own. All that I claim for myself is credit for an honest attempt to present for the first time to the Reader who is unable or unwilling to view it in any other form, a truthful picture of a certain phase of the national life in the past through the much-abused medium of an historical novel.

H. H.

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CHAPTER I.

ANESTI.—THE MANOR.

On a warm afternoon of March, in the year of grace 1177, being the 23rd year of the reign of the great King of England, Henry, son of the Empress, a small party of travellers might have been seen riding slowly and painfully, as though both man and beast were exhausted by a far and toilsome journey, along the broad, white High Street, where a few miles above the Buntingford road the Quin river hurries to meet the gentle Rib. Halting upon the summit of a slight eminence, the travellers anxiously scanned the road in front of them, as though in search of some long-expected landmark. The leader of this party was a middle-aged clerk, whose alert air and intellectual features bespoke the official rather than the spiritual Churchman. He wore a loose cassock and hood over a close-fitting tunic, and rode a well-bred palfrey with easy grace. He was attended by three or four serjeants, mounted on the inferior hackneys of the period, and clad in sober liveries of parti-coloured cloth. These followed at a short distance, leading between them a sumpter-horse laden with the modest baggage of their master.

"Behold, this is Quinbury, if I mistake not," exclaimed the Churchman, after a short pause; "and hereabouts, as they told us at Ware, we should be able to see the Castle of Anesti from the High Street. And, lo, yonder it stands very proudly, somewhat to the right of us, and six miles distant,

so that another hour should bring us well to our journey's end."

Hereupon the party once more pursued their slow march, passing through the vill of Darsell, and following the course of the river, which presently brought them into the pleasant valley of Hormead, with its water-mill and broad mill-pond, and its church and manor house rising above a tiny vill away to their right. This fertile manor marched, as they knew, with the south-western boundary of Anesti, and indeed a mile or two farther on a cross-road appeared, bending sharply to the right, which evidently gave access to the castle, now conspicuous within a mile of them. Along a broad lane leading to a windmill, and thence by a narrow and winding cart track, lined by wych elms, through a wide expanse of corn land as far as the eye could reach, the travellers proceeded slowly to the vill of the manor. This comprised only a dozen or more of rude cottages or hovels, picturesque enough in their outward aspect from the herbs and mosses with which their mud walls and thatched roofs were covered, but affording few indications of interior comfort or cleanliness. These were ranged in an irregular street, but with a considerable interval between each, as, in addition to a garden and, in some cases, an orchard adjacent, every cottage possessed a tiny farmstead in its rear, consisting of a *byrh*, or fold, and a few covered sheds, serving equally as stables and barn-lofts. The church, an imposing Norman structure, stood close at hand, and not far from it the ancient Saxon manor-house, whose place was now usurped by the modern castle which towered in the background, and beneath whose shadow the whole village seemed to nestle. The Castle of Anesti, so called, was in reality a fortified manor house of the type so common in a later age on the northern

borders. Advantage had been taken of a natural knoll or eminence for the erection of a castellated mansion, protected by a palisade and deep moat. On the lowest edge of the declivity the outer walls rose sheer above the winding track, which led to a massive gateway flanked by bastions, pierced so as to admit of a raking fire being directed against any attacking force. The approach being too steep to admit of the barbican being carried by a sudden assault, the castle was practically impregnable, for on all other sides it was protected by the steepness of the mound, and, moreover, was fortified at the base by a stockade and moat, accessible only at the postern door by a few stone steps, which one man could have defended against an army unprovided with regular appliances for a siege. The building itself was of rough stone from the neighbouring quarry, thick rubble walls, with angles or quoins and window and door-dressings of worked blocks. The principal windows were round-headed, divided externally by shafted mullions, and strongly latticed with iron. The rest were simple eyelets in the masonry. The high-pitched roofs of the outbuildings were topped with shingles, those of the hall and chapel being tiled, and also guttered with lead.

Our travellers might easily perceive that the castle was occupied rather as a residence than as a garrison, for the battlements were ruinous in the extreme, the lattices of the windows eaten with rust, and even the great oak gate, cased and studded with iron, had a ricketty look, while all traces of the portcullis had entirely disappeared. However, there was at least a warder, posted at the wicket, who, on receiving the visitor's name and business, cast open the gate upon its creaking hinges, and conducting the party through the gateway, announced them in a loud voice to the notice of the

serving-men who loitered about the courtyard. Several of these now hastened forward, and, after assisting the Churchman to dismount, conducted him within an inner gate or barrier.

The ground-plan of the castle was exceedingly simple. The interior gateway opened on to a small courtyard, the sides of which were formed by the hall and adjoining chambers, the chapel, kitchen, bakehouse and dairy. These buildings formed, as it were, the inner circle of fortifications, being surrounded by the circuit of the walls inclosing an outer space. The dwelling-house consisted of a hall about fifty feet in length and thirty-five in breadth, open to the roof, the arches of which were carried on two rows of columns, the apartment being thus divided into two aisles with a central nave. The entrance was by a porch opening on to a vestibule, screened off from the lower end of the hall, with doors to the buttery and pantry. On a lower level, beneath this vestibule, was an under-croft with a vaulted roof, which served as a cellar. There was no interior staircase, and access was only obtained to the upper part of the building by a broad flight of stone steps which led from the courtyard to the chamber above the cellar. There was also a parlour adjoining the hall, which, like the upper chamber, was hung with canvas dyed scarlet, and was moreover decorated with a painted ceiling, these two chambers being used as the private apartments of the family. On to this parlour the chapel abutted, completing one angle of the courtyard, the other being formed by the domestic offices before mentioned, which, unlike the chapel, were entirely disconnected with the dwelling-house itself, and were all open to the roof, with the exception of a few small lofts, constructed by means of boards laid across the ceiling joists.

In the great hall the lord of the castle, already apprized of the guest's arrival, advanced to embrace him, with many inquiries as to his welfare.

Richard de Anesti, although now past middle life, was still in outward appearance a young man. In figure he was short and somewhat slight, but firmly knit, and with limbs beautifully proportioned. His features were of the best Norman type, expressing both courage and intelligence. His beard was closely trimmed to the fashion of the day; his dress consisted of a short green mantle, much weather-stained, fastened by a jewelled clasp upon his right shoulder; and beneath this was worn a long tunic, and close-fitting hose of fine red cloth. A peaked hunting cap and high boots completed his attire. His only arms were a long hunting knife, which hung in its sheath from a girdle worked with silver broidery.

The history of his family was a common one at that time. Richard the Clerk, his grandfather, was by birth a Norman, educated for the Church, but devoting himself by preference to a literary and official career. After filling with credit a clerical post under the Seneschal of Normandy, at Caen, where as at English Winchester, a central department of financial administration was already formed for the Duchy, and having further enlarged his mind by an experience of the elaborate civilization of Norman Sicily, and of the recondite processes of the Roman Curia, he had sought a larger sphere of ambition at the English Court. There, with quick insight and perhaps a true sympathy, he attached himself to the clerical leader, Roger le Poer, during the sharp struggle that took place in the first decade of the 12th century between the forces of national progress and feudal anarchy. This patron's promotion to the post of English Seneschal, now no

longer a mere viceroy, but a skilled justiciary, and the development of the old tribunal of household thegns in conjunction with the treasurer's clerks at Winchester to form a great central court of justice and finance, with its headquarters henceforth at Westminster, furnished congenial work for the ex-scribe of Caen. Like many others of his clerical contemporaries, in spite of the sneers of baronial courtiers at the expense of "new men," he had in fact founded a greater family, ennobled by genius and endowed further by the regard and gratitude of the Crown and nation with more substantial honours.

The Manor of Anesti may have been originally a military station on the great Roman road which led from London to Cambridge. Next, an agricultural villa growing up on the lot of some provincial veteran. Next, an Anglian "ham" or "stead," with merely a change of lord and of name to its present title of the Manor by the Highway; later still, a West Saxon thane's bocland through the evanescence of the Anglian sub-kingdom. At the close of the 9th century part of the territory ceded to Danish colonists, and then, when the territorial distinction of the Danelaga had become as meaningless as the Danegeld itself, we find Anesti apparently falling to the share of Earl Harold in the practical division of England amongst the sons of Godwin; thus once more becoming the bocland of an English thegn, for Harold granted it with other lands to Alward, his henchman. Alward's fate is unknown. Perhaps, like many another stout Eastern thegn, he followed his lord to Hastings, and fell amongst the hus-carls round the dragon standard, or being taken in arms was degraded or exiled. In any case he was dispossessed, for Eustace the Frenchman held Anesti at Domesday survey. This Count, following the feudal license

permitted at the crisis of the conquest, built the Castle, of which a tradition only survives, adding thus a final confirmation of the strategic importance of the road-side settlement. During the Norman period Anesti continued to form part of the great honour of Boulogne, and thus it came to be granted, like many other manors of that titular peerage, to a useful servant of the king. Under Henry II. the honour passed finally into the hands of the Crown and the old tenants with it, to the great advantage of them all, and of none more than the family and kindred of Richard the Clerk.

The latter, we have said, founded a new official family, or more truly a clan—brothers, sons, nephews, drawing salaries small indeed, but most acceptable in an age of short currency at the issue of the Exchequer, while they were far more richly paid by grants of lands out of the ancient demesne of the Crown. Before two generations had elapsed, offshoots of this vigorous stock might be found in half a dozen counties of England. As for the founder's lineal descendants, his grandson Richard, who has here been introduced to us, stepped into the hereditary manor, and settled down to the life of a country baron; while his younger brother, John, held a lucrative post at the Exchequer, and was fast founding a new county family, from gifts of Crown lands in Hampshire. In his boyhood, the younger Richard had been the companion of William, the son of Nigel, like his brother the King's treasurer one of that remarkable body of clerks who were in turn justices and barons of the Exchequer, sheriffs, ambassadors, captains, and financial agents, or merely churchmen, courtiers, philosophers, historians and poets, sportsmen and wits, according to the varying demands of their royal master. This friendship he had not failed to cultivate during his rare visits to Court, until something like

a close intimacy sprung up between the two men, who were so dissimilar in their modes of life. Perhaps the old clerical blood revealed itself in this instinctive yearning of the feudal vassal for the intellectual companionship of the highly trained statesman to whose subtle disquisitions upon the origin of political and social institutions he was never weary of listening. Thus it was, in response to repeated invitations, that the son of Nigel had at length visited his friend's mansion for a few days during the leisure of the Hilary vacation, having also business of his brother's to transact within the county, in connection with the recent grant received by him from the Crown, of the rich manor of Essendon.

After the first greetings had been exchanged, Richard de Anesti committed his friend to the care of the seneschal, in order that he might remove the traces of his long journey. Then supper was served in the great hall, and the whole household retired to rest shortly after sundown.

The following morning the son of Nigel rose early, and after hearing matins in the chapel, and breaking his fast in his own chamber, he received the visit of his host, who expressed a readiness to attend him, if he should wish to take the air in the fields of the demesne. Gladly consenting to this proposal, he was first conducted by the lord through the principal apartments of the castle. In all of these, and throughout the whole building, the greatest simplicity of furniture was observable. Decorations there were none, and the walls, except when rarely draped with coarse unfulled cloth or dyed canvas, showed the bare stone-work, unconcealed even by plaster. Several stools, curiously carved, a single sideboard in the recess of the dais, filled, however, with rich plate; wooden bedsteads in the great chamber, and truckle-beds in the hall; a few cushions, introduced by the

deceased lady of the castle, and great plenty of joined stools and forms, with table-boards on trestles for the hall, formed the movable furniture of the castle. Again, the evidences of an agricultural rather than a military *régime* were evident both within and without the building. Here a newly-flayed ox-hide hung on a spike in the great hall below the trophies of antlered heads and gleaming tusks. Mattocks and reaping-hooks kept company with iron caps and sheaths of arrows on the walls, while rusty plough-shares, horse-shoes, and empty grain measures were piled in distant corners, so that the Churchman playfully observed that here at least the prophecy seemed like to be fulfilled, that swords should be beaten into plough-shares, and spears into pruning-hooks.

Within the courtyard was a smaller inclosure, which they visited, and which contained a curious assortment of birds and animals; namely, poultry of all kinds, together with peacocks, a parrot, and a pair of magpies, besides which there was a bear chained to a stake, and seemingly on the best of terms with an ape, and several large stoats, which latter, like the dogs (of which almost all breeds were represented), were free of every chamber in the castle. Passing into the larger inclosure, formed by the principal buildings above-mentioned, they inspected the dairy of the manor, which contained, besides a number of shallow earthen milk-pans placed on trestles against the walls, a few vats, a salt-jar, a vessel containing rennet, and a quantity of pressing-cloths hanging upon the rafters of the low roof. Within the outer circle of the walls of the castle were situated the garden, or *plesaunce*, and the orchard, in which the profusion of flowers, and shrubs, and herbs of all kinds contrasted strangely with the meagre crops of onions and other edible roots. On the other hand, there were many pear-trees and cherry-trees, while several

stunted apple-trees were allowed to exist for the purpose apparently, of supplying crabs for tankards and verjuice for festival sauces. Beyond the outer walls, as far as the eye could reach, was one unbroken carpet of springing corn; yet however dense the expanse of crops viewed at a distance, Richard de Anesti and his guest found no difficulty in making their way by means of the cross-roads which led from the vill of Anesti to neighbouring towns or hamlets; being, as it were, the arteries of the body politic of the Hundred; while the paths formed by the headlands might be considered as capillaries of veins, giving access at all times for every peasant farmer to his scattered plots.

FIG. 1.

As they pursued their walk through the cornfields, Richard directed his guest's attention to the fact that the whole of the arable land was divided into three great fields. On the north-east of the manor, surrounding the castle, was winter corn, that is to say, the several varieties of wheat sown in the preceding autumn, with some patches of peas and vetch. On the west side was the seedland prepared for the spring corn, oats and barley, and drage, and towards the south an almost equal extent of fallow. Outside these three great fields was

FIG. 2.

a belt of pasture, some common to the cattle of the lord and villagers, with richer fields of pasture and meadow carefully fenced in and lying chiefly towards the south. The son of Nigel, who knew that the crops under his view belonged some to the lord and some to the tenants, was somewhat at a loss to comprehend the means of distinction between the plots of the several cultivators; but when they reached the ploughlands, Richard made him observe the mounds of turf by which the several strips were divided, those of the tenants in villeinage into half-virgates, and the demesne land into separate enclosures by a larger bank, together with a ditch, or occasionally by a low, quickset hedge, so closely cut as to form an

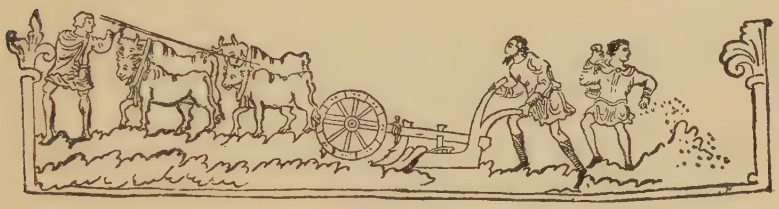


Fig. 3.

almost transparent barrier. Several plough-teams of oxen were at work here, four in each, and all double-yoked. The ploughmen in their long smocks, bare-legged, save for their high boots, leaned heavily on the left hale of the plough, so that they seemed to lurch in their walk, whilst they shouted continually to urge on their teams or to direct the drivers, one of whom walked in front of each team armed with a long goad, by a liberal use of which he contrived that each beast should keep his proper place and bear his share of the draught. But every fifty yards or so the oxen, as if moved by common impulse, would lower their heads to the ground and stop resolutely, whereat the ploughman leaned against

the spindle, and the driver threw himself upon the ground beside the team; while the wearied animals, themselves blowing hard with distended nostrils and heaving flanks, sought to allay the smarting of their wounds with blows of their long tails and impatient stamping of their feet. Thus they would remain, Richard assured his guest, for half an hour at a time, were not the bailiff always at hand, whereas all who have driven oxen know that they must stop just three minutes to fetch their breath, and no longer, lest they should grow stiff; but none of these villeins and hinds, said he sadly, has any care at all for the lord's interests—each seeking instead only his own ease or profit, that one may save his labour, and another his team, when he is compelled to perform plough-work upon the demesne.

When the two friends had passed beyond the spring field where, besides the teams now engaged upon the second ploughing, many rustics were at work breaking up the clods with wooden mallets to lighten the labour of the harrow, they entered upon the enclosed meadows and pastures of the demesne. Here the freshness of the ground and of the budding thorn-trees was most grateful after the glare and dust of the open fields. Richard now described the work of haymaking, which, he said, was performed in the season by the customary service for the most part of the cottiers of the manor, who were assisted by their wives and elder children, receiving twice a day plentiful rations of bread and meat, or salt-fish and cheese, washed down with large draughts of small ale thickened with meal. In the pastures a small flock of milch ewes were now feeding, and the son of Nigel was not a little astonished at this sight.

"I marvel much," he said, "that you should prefer the thin and acid milk of these animals to the rich and fragrant milk

of cows, since you must have abundance of pasture here for both."

"Not so," replied his host, "for, unless you fatten at least half the herd at Michaelmas, and slaughter them for winter beef before Martinmas, there is small profit from them and great risks of loss from disease, though I grant you that if we were near some large town the case would be different. But as it is, some lambs die and others are weaned and fattened for the table, and it were evil husbandry not to use the milk of the dams for cheeses, which the labourers eat readily, and the remainder can be sold with a good profit at the fairs. So

FIG. 4.

much I learned from my brother and your fellow, John the Clerk, who hath, as you know, lands in Hampshire of the King's gift, and there they will have nought to do with kine, but breed or fatten only sheep, which can live on little compared with other beasts."

After questioning the shepherd as to the state of the flock, Richard led the way home across the pastures by a path or track which led directly to the folds beneath the castle wall.

It was half-way noon before they entered the castle, and dinner was served in the great hall soon after, at which meal the whole household was assembled. After this was over the lord and his guest sat together over their wine cups, and con-

versed upon the state of the country in respect of agriculture. The Churchman had many questions to ask on this score, and particularly as to his friend's own experiences, who replied with the following description of the cultivation of his demesne.

"The manor of Anesti contains about 1,000 acres of arable, pasture, meadow, and wood. It is divided into two almost equal parts—one held and cultivated by the lord, and the other by his free and customary tenants. The former is the demesne, which contains about 400 acres of ploughland, 50 of choice meadow and pasture, and as many of scattered woodland. Three ploughs are engaged in the tillage of the demesne, in which they are assisted by the customary services of the tenants, who provide usually six supplementary ploughs at appointed seasons. A small flock of sheep pasture in summer on the common of the manor, on the grassy fallows, and on the rank stubbles after harvest. Before November the chief part of the flock is either sold or killed, and salted for winter use, and the ewes and lambs folded for the season. The same is done with the cattle, though here several of the milch kine are fattened and slaughtered to eke out the precious winter pasture and scanty stock of hay.

"Even so the ewes are largely supported on chopped straw and pease-haulm; while the oxen of the ploughs are wholly fed in winter with sheaves of oats, though on holidays they are turned out to grass if the weather is favourable.

"As for the horses, it is fortunate I have not many, and those only hackneys for myself and my men, for were it otherwise we should need to thresh out more than the whole crop of oats, leaving none for sale, and the cost of threshing to boot, for you may not give them the whole blade. Thus you will see there is little profit in stock, for except that the plough-

oxen must be kept alive, which are the chief source of wealth, and a certain number of beeves and muttons must be salted down each winter for the household, the business is a thankless one. True that the stock sold at St. Simon and St. Jude often brings a good return, and that the fleeces and hides are especially valuable, yet you must buy again at Hocktide often as dear as you have sold cheap; and then every seventh year comes the murrain, which wastes all that you have gained meantime. Nay, there are but three things which pay for all the rest and something over. These are corn, and swine, and cheese. As for the other half of the land, that which is let out to the free tenants or the villeins, it yields a fair profit from rents, both in money and in kind. Formerly it was of more consequence to the lord, who shared as it were his tenants' profits—he providing them with their outfit of seed corn and plough oxen, and they rendering services in labour upon the demesne or tithes of produce. But now they pay more in money and less in kind, which is little to my liking. Thus I have but a small share in their concerns, though the farm bailiff sees that they perform their set-work punctually, while the seneschal regulates their suit of court and takes fines from them for the neglect thereof. In addition to these villeins there are the hired labourers who work on the demesne, and the serfs. Both of these form part of my household. However, the farm bailiff and ploughmen, with the shepherd, the swineherd, and woodward, are still chosen, by ancient custom, from the villeins of the manor, and receive their fees and perquisites accordingly. But in order that these things may be made more clear to you, I will read to you, if you please, the last account of this manor which was rendered to me by my officers."

Hereupon Richard de Anesti rose, and, opening an oaken

chest which stood in a recess, produced from it a bundle of small parchment rolls, one of which he selected and unrolled, commenting upon its contents as follows:—

"This is the account of John the seneschal and Richard the bailiff. First they credit me with the rents of the manor and the farm of the mill for the past half-year. Also for the proceeds of the sale of pannage and underwood and the like. Then for the issues of fines for neglect of customary services or by way of composition for their remission. For example, the shepherd and his helps are fined for neglect of the ewes at lambing-time, the ploughman for careless ploughing, and others for neglecting to work upon the demesne on the days appointed; for breaking pasture and wood; taking honey and the like. The crops grown last year were, of wheat, eighty quarters; of scurril and mixtil (which are, as you know, an inferior sort) thirty-six quarters; of drage, twenty quarters; of barley, eighteen quarters; and of oats, 121 quarters; in all 275 quarters, being the produce of three ploughlands. Of these, sixty-seven quarters of wheat were sold, sixteen were reserved for the seed of sixty-nine acres sown this year, and one quarter was consumed in rations for the haymakers. Of the scurril, five quarters were bestowed on a carter, and three and a half on the dairy-woman. The whole of the drage was sold. Of oats, sixty-seven quarters were sold, forty-two and a half were kept for seed of ninety-four acres, five quarters were bestowed on a carter, and seven were consumed by the plough-oxen. Lastly, of barley, five and a half quarters were sold, four and a half were reserved for the seed of ten acres, and the rest was bestowed on the carter and the dairy-woman aforesaid. The stock of the demesne consists of the plough-oxen, the ewe-flock, the wether flock, and some hogs that

were bought at Easter. Of these, one ox died and was replaced, several ewes were lost in the lambing season, and three of the muttons were eaten by the haymakers. The ewes produced rather more than a lamb apiece, counting those which were barren and those which died ; but more than half the lambs have been carried off by the sickness, and of the rest a considerable number were claimed by the Church for the tithe, and by the bailiff and shepherd for their perquisites, so that fifty only remain now out of nearly twice that number. But there is a herd of fifty swine, which the swineherd drives into the woods and which increases greatly

Fig. 5.

and yields a large profit, especially from such as are penned and fattened on barley-meal in the winter. Besides this live-stock, I hold the fleeces of the ewes and wethers of much account, and this season they were very heavy, and I have sold them a good bargain to Gisbert, the Fleming, of Ipswich, together with the fells of all the lambs and ewes that died, the muttons that were slaughtered, and the dead ox's hide. The cheeses made by the dairy-woman complete the produce of the year. There were 175 of these, weighing more than four hundred-weight, whereof 162 were sold, and the rest

were consumed by the hay-makers and harvesters and by the household.

"On the other side, the expenses of working the farm are considerable. The bailiff, shepherd, ploughmen and carters, woodward and dairy-woman receive each a high wage. The three plough-teams must be shod, and the smith is constantly employed in the repair of the carts and implements. New utensils have to be supplied for the dairy, with sheets and canvas cord, pitch, buckets, and fifty other necessaries. Again, the threshers and dykers are paid through the winter by piece-work. In short, when all expenses are paid, there remains over only a profit of some thirty pounds, though the greater part of the cost of the household is defrayed, without touching this sum, out of the products of the soil."

FIG. 6.

"I perceive," said the son of Nigel, when Richard had ended his discourse, "the poor estate of a landowner who is not skilful in the management of his farms, and this perchance may explain the lowness of all direct assessments upon the land which I have often noticed. Hitherto, indeed, my own knowledge of these things has been drawn from surveys and valuations amongst the records of the Exchequer, which afford truly many superficial facts, as that the least estate in land, and such as is most commonly held in villeinage, is a half-virgate, which elsewhere is the land of one ox; next to this a virgate, or the land of a single yoke of oxen; next a half hide, which is two virgates, or half a

carucate ; next a full hide, or carucate, which is four virgates ; and lastly, a knight's fee of four hides. Therefore I suppose that in every hide or carucate there will be four yoke of oxen and ploughs, according to the custom of agriculture, together with common of pasture and as much meadow as there may happen to be. And now note this thing, that the land is not assessed at the Exchequer according to the number of acres, but according to the number of ploughs ; for these denote the real wealth of the land, and not the extent measured by the perch and cord. Consider now that if there be a manor of five hides in which there are ten ploughs, as there are here, and another of the same extent in which there are but five ploughs, is it not probable that in the latter much of the land is marsh or thorns, or otherwise unsuitable for tillage ; and therefore would it not be manifestly unfair that a close assessment should be made of each according to the acre and not by the carucate? Thus it hath seemed to the wisdom of our great King, so that with us the assessment of the land is now made by ploughs, each being taken to be worth twenty shillings. Besides this assessment, which is chiefly intended for such as do not hold by military service, there is the scutage paid by the holders of knight's fees, namely, forty shillings for each fee, which is ten shillings on the hide or five shillings for each plough, in most cases ; so that the tenant in socage and the tenant by knight-service shall both be assessed at the same rate, namely, one-fourth on the carucate for the one, which is five shillings, and forty shillings on the knight's fee for the other, which is also five shillings on the carucate, or if it be sometimes more, then it is to be considered that here the tenant is assessed *ratione militiæ*, and that it must still be more to his advantage to pay than to serve in his own person, as he must otherwise do. For my

own part, however, I would not have a general assessment of the carucate as being worth twenty shillings in all cases, but according as it is found that the land is good or bad, and the number of the plough teams actually used.

"It is strange," said Richard, "that the land alone should pay for the maintenance of the King's state and the welfare of his kingdom."

"Nay," rejoined the other, "it is best seemly that the King, whose the whole land is, should receive his own according to his needs. Rather it is strange that the holders of land should render no greater rent or services, and other incidents, for that which cost their forefathers nothing to obtain, whereas a merchant who hath acquired goods by industry or purchase must contribute far more thereof to the revenue of the Crown, and, indeed, can scarcely call them his own but by the King's favour."

"And yet," said Richard, "such a one will be careful to make good his losses at the expense of the farmer, whose corn and wool he will buy at a lower rate, giving this extortion as his excuse; so at least it hath always happened to me in my dealings with such merchants."

"I grant you," replied the son of Nigel, "that these men are subtle knaves; but the profits of their merchandise arise rather from the luxury and unthrift of the age, whereby they have no need to cheapen their purchases from the producer, but will often buy from him at a good price, knowing that they will be repaid tenfold by their venture. But more of this another time, for I see that there are those approaching who have business on hand."

As he spoke the steward ushered into the lord's presence several of the superior tenants of the manor, whilst at a respectful distance a larger body of peasants followed, and

remained crowded together at the lower end of the hall conversing in whispers. Next the lord's seneschal entered, accompanied by the chaplain, bearing a roll of parchment, pen, and ink-horn, and approached the dais.

"The court of the manor is holden to-day," explained Richard, "and yonder are the suitors. For you must know that I have caused the court to sit in the afternoon, to the end that the villagers may attend after the teams are driven home, and also that a holiday shall by no means be consumed in the hearing of plaints and trespasses. But now, if you will, let us sit apart and watch the proceedings."

Meanwhile the seneschal had taken his seat, the free suitors ranged themselves in front of the dais, and the court was proclaimed by one of the lord's officers. Thereupon the seneschal received the excuses of those who failed to appear in several suits, to whom new days were assigned. Next presentment was made of such as owed suit to the court and were then absent.

"I perceive," said the Treasurer, "that this is the court of the free-tenants, as well as that of the customary tenants."

"You are right," replied his host, "and you can see that there are twelve of the former, who may be called the body-politic of the manor. These report upon the whole state of the manor, and adjudge all civil suits and trespasses. Here also all admittances are made and other formalities. The villagers, too, are subject to the jurisdiction of this court, and attend as the helpers of the free tenants, their evidence being taken on oath in cases which concern their own estate."

Meanwhile the suitors had made divers presentments connected with the customs, profit, or boundaries of the manor. Next, what reliefs, escheats, wardships, marriages, waifs and strays, or other incidents, had accrued to the lord. Next, of

various trespasses for which fines were assessed upon the offenders, such as making a new path across the lord's enclosure, pasturing cattle in the same, fishing in the lord's water, resistance to the lord's officers, breaking pound, overstocking the common, damaging the lord's wood, grinding corn at another mill than the lord's, etc. Next, that certain officers of the manor had not properly discharged their duties, under which head several neglects were punished with slight fines. Next, the ale-tasters presented one who had sold ale that was below the standard strength, and the miller was heavily fined for taking toll by a measure larger than the standard. Finally, several customary tenants were admitted, and also proof was made of such villagers as had married their daughters without the lord's license, permitted their sons to be ordained, neglected to repair their tenements, omitted to perform their task work upon the demesne, fines being assessed in all these cases. The presentments being ended, the seneschal dismissed the court, and the suitors quietly withdrew.

As soon as they were alone, Richard began to inquire of the son of Nigel the origin of the Barons' Courts of England, who replied as follows :—

"You are doubtless aware that these courts are of several kinds and of several degrees—for some are larger than others, as in the case of Hundreds granted by charter and Honours, and for these there is usually a chief court; but for the rest, each manor has its own court, provided there are tenants there sufficient for the same. And these tenants owe suit to the lord's court, whatever their rank may be, yet their standing there is not entirely the same. For it is doubtless within your own memory that the free tenants of many manors were both of gentle birth and good ability; so that they were in some sort the lord's assessors, and gave judgment upon the

presentments of the villagers, or of their own motion. Thus, too, it is evident that this institution was taken from that of the folk-moot and the Hundred, and also that it has this likeness to the proceedings of the King's Court itself. For, whereas it is related that formerly the thegns and franklins assisted the great earl in his public court or folk-moot, giving judgment there upon the presentments of the men appointed from every township, and likewise in the Hundred assisting the king's officer for the preservation of his peace, so, too, the barons and other helpers of our lord the King himself in his Court seem to resemble these freeholders, inasmuch as they are bound by their tenure to render like suit to their lord, and to assist him as is aforesaid. But of late the place of that earl hath been filled by the sheriff, being more skilful in such parts, and those barons have still more recently been superseded by the King's Justices. These sheriffs and justices then have assumed many of the ancient functions of the suitors of old (who now for the most part excuse themselves from attendance, except such as are of peasant blood), and so it has come to pass that neither the king nor the baron (the earl being long since overlooked) is accustomed to preside in court ; that in their absence the better sort of free suitors has fallen away, and that in default the officer of king and lord order and dispose of everything at their own discretion in their masters' interests."

After this, Richard de Anesti began to tell his guest of the Abbot of St. Alban's great court, held in the open air beneath a certain tree there, and also of a curious custom which prevailed from time immemorial in the neighbouring county of Essex, and which he had himself witnessed during his residence at the several manors held by him there as of the honour of Boulogne. Which custom was, namely,

this; that each year, shortly after Hock-tide, the bailiff or other officer of every liberty or Hundred should cut from a willow-tree a great bough, and after shaping it to a certain length and thickness, he should carry it up to the principal manor-house within the liberty, and there wrap it in a fair linen cloth, as though it were an image, and lay it upon a pillow, and set it in the highest place in the hall. And after it had tarried there some while, the bailiff should take it up again and carry it by sun-shining to an appointed lane, whither every tenant who was bound to watch and ward this staff according to his tenure should repair well-armed. Whereupon they being all assembled, the mouth of that lane was closed with a great bar of timber, with a bell hanging there-to to stay such people as would pass by. And the bailiff having taken note that all the tenants were present, straightly charged and commanded them to watch and keep the ward in silence and due order, so that the King should be harmless and the country scathless until the sun-rising. And when the sun had risen, the lord of that principal manor repaired thither, and taking up the staff scored thereon with a knife a certain token that the watch had been truly kept. After which the bailiff should convey it to the lord of the next manor, speaking certain verses in the Saxon tongue. And so the staff was watched and warded in like manner throughout every Hundred of Essex, as far as a place called Atte Wode, and there it was cast into the sea.

After several days passed in these rustic pursuits, varied by hunting, and an occasional entertainment afforded by some straggling jongleur, the son of Nigel prepared himself to return to London, where the King was about to hold his Court at the beginning of Lent, in order to decide the cause of the ambassadors of Castille and Navarre, as well as to transact

other business of state. Richard de Anesti thereupon made known his determination to bear him company, having also business in that city respecting certain debts owing by him to Hakelot, the Jew ; and being moreover desirous of fining with the king that his castle of Anesti might be safe from the late ordinance for the pulling down of divers castles in those parts since the late rebellion. Therefore, on the Thursday following his arrival, the son of Nigel set forth upon his return, accompanied by his host with a sufficient following.

CHAPTER II.

LONDON.—THE CITY.

ON the evening of the second day after their departure from Anesti, our travellers found themselves approaching the north-eastern suburb of London. The country through which they rode was rich grass-land, abundantly timbered and watered by clear and rapid streams, which flowed into the river Thames. Many picturesque houses with fertile gardens and orchards were scattered over this pleasant landscape, to which the massive battlements and stately spires of the distant city formed an imposing background. Leaving behind these suburban villas of the wealthy citizens, having made the passage of the river Lea at Stratford, they halted presently at Aldgate. The great gate-way was still open and indeed its recesses were lined with movable stalls, the owners of which, vied in commendation of the excellence of their respective wares, while groups of lepers and other piteous mendicants invoked the alms of the charitable. The appearance of the strangers proving satisfactory to the city serjeants, they were allowed to pass through into the shadow of the overhanging gables. Hence they rode westwards along a broad avenue which debouched on to Cheapside, and so up the incline to St. Paul's Church, where the son of Nigel was to part with his companion, since he intended to push forward to the palace of Westminster, instead of sojourning at the comfortable residence which he occupied as a

canon of that Church. But first he bade one of his serjeants escort Richard de Anesti to an honest herbergeour near by, promising further to acquaint his brother, John the Clerk, of his coming to London, and adding that his brother the Treasurer expected an early visit from his old friend to his official residence at Westminster. The following morning, accordingly, Richard was aroused by his host, soon after sun-

FIG. 7.

rise, with the news that his brother was below awaiting his rising. After a warm greeting had passed between the brothers, Richard expressed an earnest wish to view once more, after an absence of many years, the sights of the city, and to make himself better acquainted with the pursuits and pastimes of its inhabitants. To this proposal his brother cheerfully agreed, and without further delay they sallied forth together unattended. As they proceeded eastward, John

drew attention to the ground-plan of the city, which, he observed, was enclosed by a line of walls except on the side of the river, where they were long since decayed. He next showed that there was a central avenue from east to west, from Aldgate to Newgate, with narrower streets, parallel to this, intersected by innumerable lanes. Beside the walls and the river strand, the houses were less densely packed, and there were also open spaces at several points where the great markets were held, besides the cimiteries of a hundred churches, and the precincts of the monasteries. Nevertheless, he admitted that the general effect produced to the eyes of a stranger was that of a labyrinth of houses, which was due, probably, to the irregular lines of the streets, and the narrowness of the lanes and alleys.

The houses of the citizens in the several wards through which they passed were built entirely of wood, with one or rarely two gables facing the street. The lower part of these houses was usually of solid timbers, but the projecting gable above was merely a framework filled in with plaster, the external surface of the entire front being usually daubed with whitewash. The roofs were thatched with reeds, or straw, or shingles, and rarely tiled, and the windows were protected at the best only by hinged lattices of wood or iron. Each house possessed a courtyard, and often a garden at the rear, but none exceeded two storeys in height, the ground-floor being the shop, warehouse, or workroom, and the first floor the dwelling-rooms of the family. In some cases, however, stalls were erected against the outside wall, protected from the weather by pent-houses which overhung the pavement. The roads were unmade, and the footways before the houses were unevenly flagged with natural stone. The garbage from the houses was thrown into the deep gutters, whence it was

removed at long intervals, by the city scavengers, in carts, outside the walls. Moreover, these gutters were flushed with a filthy torrent of water, owing to the practice of washing linen and scouring clothes or furs in the roadway. Fowls, pigs, and even milch-kine roamed freely about the streets, and fierce-looking dogs preyed upon the garbage, in the company of kites and crows. None of these inconveniences, however, were marked by our two visitants, and Richard gazed around him with wonder and delight, as the various objects of note were pointed out to him by his companion : the churches, convents, and schools ; the mansions of the wealthy merchants and the lodgings of the nobles ; the shops of workers in metals, leather, cloth, fur, and other principal trades ; the forges of the shoeing-smiths, already ringing in the still morning air, and the barbers' basons, surreptitiously filled with blood ; lastly, the hostels, and other houses of entertainment, such as the cook-shops, pie-shops, wine-taverns, and ale-houses.

Still more interesting to Richard were the open markets which they visited in turn, for besides the numerous hucksters, who cried fish, bread, and other victuals in the streets, or sold them from door to door, and the carts filled with wood, or charcoal, or water, stationed at the principal cross-ways,—the main business of the purveyors of victuals was carried on in the open spaces, paved, and suitably appointed for that purpose, and which, as the morning advanced, were frequented by throngs of eager buyers. Among such were Gracechurch market, for the produce of the eastern counties; Newgate, similarly appointed for that of the north parts, or of the west, besides Smithfield, Cornhill, and the Cheap itself, with Billingsgate for fish and merchandise landed by ships at the Hythe or St. Botolph's wharf, under the protection (and exaction) of the keeper of the Tower.

In each of these markets the various bales of merchandise were laid out upon the pavement, to allow of a complete inspection of their contents, for none might sell by the sample, and, moreover, the quality of the wares was liable to examination by the officers of the market. Here, too, were stalls for the butchers and fishmongers, with temporary sheds or booths for the protection of the costly wares of the greater merchants.

In all these markets there was a prodigious uproar from a babel of tongues, with general merriment on the part of the buyers and onlookers at every ludicrous incident. Among the chapmen themselves, however, quarrels were rife, and the city serjeants had frequently to interfere, to avert a serious affray. The last of these centres visited by the brothers was Smithfield, where the great horse-fair of London was held every six weeks without the city walls. Here the citizens seemed to be bent as much on pleasure as on business, or, more truly said, their business was conducted in a pleasurable manner. Many nobles on horseback, wealthy traders, and royal grooms and purveyors, were here to be seen critically inspecting the chargers and palfreys of English, Spanish, and Flemish breeds, whose paces were skilfully displayed by the horse-keepers. Not unfrequently, by special request of some influential purchaser, several horses were tried against each other, mounted by boys, along a course that was hastily cleared by the goodwill of the spectators, who appeared to take the keenest interest in these equine contests, cheering the horses or riders by their names, and sometimes even wagering upon the result.

In another part of the field the brood-mares, cows, sheep, and swine, with their young ones running beside them, were exposed for sale, together with plough-oxen and various kinds

of agricultural implements. Long before Richard had gazed his fill upon this animated spectacle, his brother drew him away in the direction of the river, where, he said, they would be assured of the best dinner to be got in London at one of the cook-shops for which this neighbourhood was famous. Their way led them by the west front of St. Paul's, where in the great place between the castle by the Newgate and the Church the city militia was wont to muster in time of domestic war, of whom John affirmed he had seen as many as 20,000 under arms in the time of the late troubles. Thence they proceeded to one of the wharves below the castle, where they took boat down stream for St. Botolph's wharf near the Tower. Richard could not fail to admire the great breadth and purity of the river, which, it being then low water, ran bright and clear over shoals of gravel. Many fishermen were busy plying their nets, and many a stately swan rode upon the clear waves, while flocks of geese and ducks basked upon the grassy banks. Behind them in the far distance rose the battlements of the great palace of Westminster, and before them the royal standard waved from the Tower above the masts of the shipping and the wooden sheds and warehouses upon the quays. Impelled by the swift stream and the willing arms of the watermen, who augured from their appearance something more than the statutory fare of one penny, the landing stage was soon reached, and a few moments later, John the Clerk was showing the way into a long, low house, cleanly appointed with tables and settles, at which numerous well-dressed guests were already seated, engaged in discussing the several dishes of the day. Having taken their seats, John called for a capon in crust, which was presently brought to them with several kinds of bread, and a handsome measure of wine

fetched from a neighbouring cellar. Their meal ended, and the modest reckoning paid, they sallied forth, not unwillingly, into the fresh breeze blowing from the quays, where they sat and watched the ships coming up from the Pool, with the flood-tide, to their moorings off the wharves: wine-ships of Gascony, woad-ships of Picardy, scuts of Flanders, Essex and Kentish whelk-boats, and the great vessels of Almain and Norway, with wild-looking sailors crowding the bows, and chanting, bare-headed, their hymn of praise for a toilsome voyage safely brought to end.

Fig. 8.

As it was now almost noon, Richard was minded to seek the house of Hakelot the Jew, to whom he was indebted in divers sums of money, raised to defray certain charges, and especially of the fine which he had lately been compelled to pay at the Exchequer in respect of his daughter's marriage. His brother likewise had occasion to return to the Exchequer upon some necessary business, and therefore they took leave of one another for the present, with a promise of meeting again upon the Monday following, when a certain miracle and other plays and pastimes were arranged to be presented and of which Richard was desirous of being a spectator.

The latter accordingly held on his way alone to the neighbouring Jewry, a foul and squalid quarter, where the overhanging houses almost shut out the light of the sun. Here he succeeded, without much difficulty, in discovering the object of his search, and being prepared with his principal money and usance, he exacted from the reluctant creditor a full re-

lease for all his obligations, formally executed and sealed with Hakelot's seal, bearing the device of a crowing cock, whereby he was discharged of the said obligation, and of all others incurred by himself or his ancestors to Hakelot and his fellow Jews up to the present date. Thereupon, after receiving back the original bond to be cancelled, he gladly departed out of the place, and bent his steps towards the Guildhall.

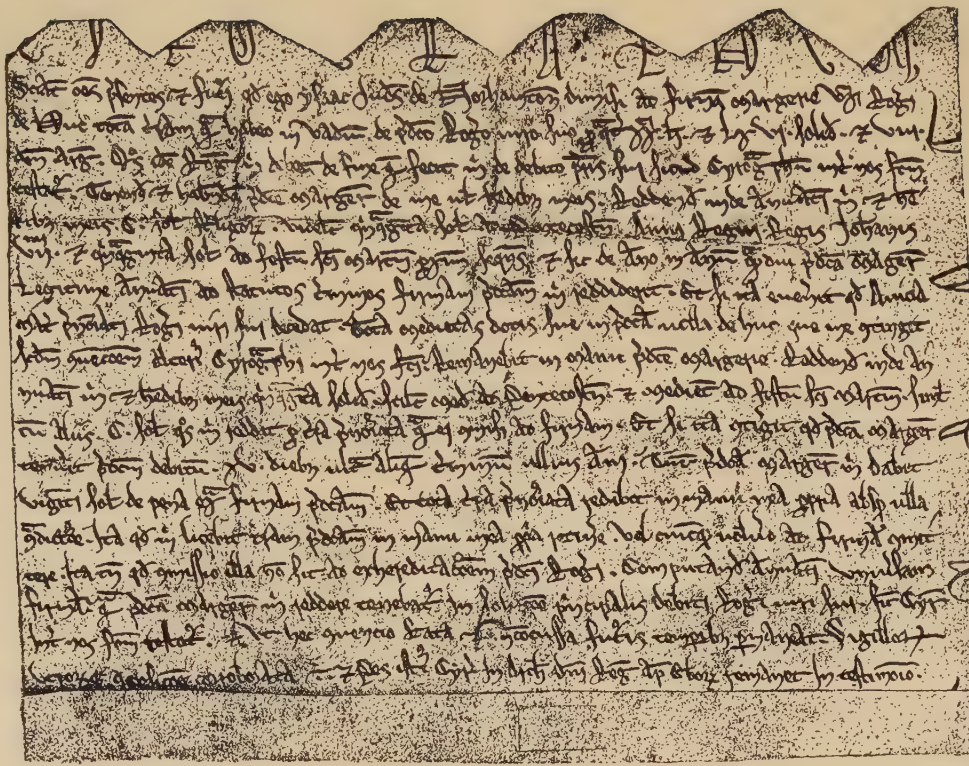
Here Richard chanced to meet his kinsman, William de Glanvill, who had attended to pursue a certain cause on behalf of the Dean and Chapter of St. Paul's, and who gladly offered to accompany his cousin to that church, where they would be able to converse freely. In this favourite resort alike of the devout, the studious, and the worldly-minded, they walked to and fro, or sat, as they listed; and here Richard, having explained the cause of his presence in the city, William de Glanvill began forthwith to speak of the incredible wealth and extortions of those usurers, together with some curious information respecting their privileges, with all of which he was familiar by means of his residence at the Exchequer. And first he said that they held the most part of their present liberties by charter of King Henry, grandfather of the now King, in whose reign also, he observed, the Cistercian Order was first brought into England. This in turn reminded him of a saying of Master Map concerning a Cistercian who became a Jew, that he marvelled that the said Cistercian had not rather become a Christian. These Jews, however, he continued, were even before the Conquest under the protection of the Crown, and subject therefore to various tallages and fines to the king, who was the absolute lord over their bodies and lands and chattels, and without whose favour they had no assurance for their safety. It was to be remembered, indeed, that their condition was in no way worse in this respect

than that of other aliens, nor perhaps of the king's demesne men. Moreover, it was well known that the seizure of a Jew's chattels was only to be likened to the case of any Christian —whether clerk or layman—who practised usury, though for these last time for repentance was given during their lives, or to make atonement with the Church by their dying bequest, otherwise the chattels of all such Christian usurers were straightway seized to the king. Therefore, if any Jew either transgressed the laws of the kingdom or was adjudged a trespasser against the king's right, he lay at the king's mercy, and must needs ransom himself accordingly, and in default of payment, the community of the Jews with which he was associated must discharge the same. It was well-known to the residents at the Exchequer, he added, that these Jews were notable forgers of charters, so that they would oft-times exact from the son of such a one debts falsely alleged by them to have been incurred by his father, whose charter they feigned to produce. Therefore, it happened on certain occasions that the land impledged was restored to the debtor if it seemed to the court that those Jews were unworthy of credit, and especially if the principal money and usury had been already made up out of the profits of the land. But however this might be, it was certain that their dealings were wisely regulated by the Crown, else they would often be deprived by force of that which they had gained by craft, and perchance slain, by those whom they had abused, or else forced to depart the realm, whereby much inconvenience would be sustained by reason of the prohibition of usury among Christian men. For the rest, he said, the Jews in England were compelled to live apart from Christians, and to wear a badge of their race in their dress, and to perform their ceremonies and instruction privately in their synagogues and schools. Also, it

was forbidden them to take in pawn any consecrated vestments or plate, for by their dealings with religious men great scandals had heretofore arisen, so that it was well-known that Aaron, the great Jew of Lincoln, had boasted that he was himself the maker of the rich shrine of St. Alban, by reason of his loans to the Abbot Simon there. Also, that all intercourse between Jews and Christians was utterly forbidden by Holy Church, and especially the common practice of needy and wanton men in becoming the bailiffs and servants of Jews. William de Glanvill did not fail to add, as the chief cause of the great prosperity and dangerous example of these and other aliens, their habit of combination and mutual intelligence, so that the credit of each member was sustained and employed for the advantage of the whole body. For although these Jews had their regular abode in certain cities and not in others, yet you should never fail to meet with some one of them wheresoever you might be, and each would take up the other's usance. Besides, the principal Jews were often to be met with at the Court, or elsewhere, on the king's business, being then appointed the king's agents or purveyors for divers causes, and receiving again what was expended by them at the hands of the sheriffs or of the king's chamberlains. Thus he was aware that even now the wife of Bruno the Jew, of London, had provided the moneys required for rebuilding the Church of Waltham. As soon as William de Glanvill had finished speaking, Richard in turn proceeded to relate his own experience in his dealings with the Jews in the course of his great suit respecting his uncle's lands.

Fig. 9.

"In the first year of my plea," he began, "when I sent John, my brother, beyond seas for the King's writ, I borrowed the forty shillings which I then spent from Vives the Jew, of Cambridge, upon usury of a groat a week for every pound, and I kept that money during fourteen months, so that the usury amounted to thirty-seven shillings and four pence. And at Easter following this, Vives lent me again sixty shillings at the same rate, which I kept six months, and the usury was twenty-four shillings. And when I crossed the water to purchase the King's writ, Comitissa the Jewess, of Cambridge, lent me four pounds and ten shillings at the same rate, the usury of which was fifty-four shillings for nine months. And when I went to Stafford to consult with my advocate, Bon-Enfant the Jew lent me fifty shillings at the like rate, for which I paid as usury sixteen shillings and eight pence, being for five months. And when I pleaded in the Archbishop's Court at Canterbury, Dieu-la-Cresse the Jew lent me forty shillings at the same rate, which I kept two months, and paid five shillings and four pence. And when I crossed the water to fine with the King in Gascony for license to appeal to Rome, then Jacob the Jew, of Newport, lent me sixty shillings at the same rate, which I was not able to repay within thirteen months, so that the usury amounted to fifty-two shillings. And when I sent my clerks to Rome to appeal, Hakelot the Jew lent me ten pounds at the rate of three pence a week for every pound, and I kept this money seven months, paying sixty shillings and ten pence for the usury. And afterwards, when I pleaded in the court of the papal assessors, this Hakelot lent me sixty shillings at the same rate, for which I rendered as usury nine shillings for three months. And afterwards, in the same court Jacob the Jew, of Newport, lent me seventy shillings at a groat for the



METROPOLITAN BOROUGH OF BETHNAL GREEN PUBLIC LIBRARIES

JEWISH "STARR" OR CONVENTION.

week, the usury of which amounted to thirty-seven shillings and four pence for eight months. And it was not long after this that Benedict the Jew, of London, lent me ten shillings at two pence for the week, but I neglected to repay it for three years, so that the usury amounted to twenty-six shillings. And when I went to Winchester about my writ of appeal to Rome the second time, Jacob the Jew lent me a hundred shillings at three pence, which I kept ten months and paid for usury fifty shillings. And to gain money for my clerks to go to Rome, I borrowed four pounds from Hakelot at the same rate, which cost me twenty-four shillings for six months. And when I was before the King in his court at Windsor, Dieu-la-Cresse lent me forty shillings at the same rate, for which I gave him eight shillings for four months Also Bruno the Jew lent me half a mark at three-half-pence a week, for which I paid fifteen pence after ten weeks. And at the court at Reading Hakelot, whom I found there, lent me thirty shillings at three pence, which I kept for five months, paying for usury seven shillings and six pence. And at the court at Woodstock, when I gained my suit, Mirabella the Jewess, of Newport, lent me four pounds and ten shillings at a groat a week, which I kept for a year, and the usury whereof was seventy-eight shillings. After this Hakelot again lent me divers sums, in order that I might pay the reward I had offered to Ralph the King's physician, and when I paid my fine to the King at the Exchequer, amounting altogether to thirty-six pounds, whereof the usury amounted to near thirty pounds, though the rate of usance was the lowest that I had hitherto paid, namely, two pence, which, though it be the rate appointed at the Exchequer, yet are there few who may have moneys for less than a groat."

When Richard had ended his account of these borrowings,

which were set down in a small roll among the several documents with which he was provided on this occasion, he began to request his kinsman with great earnestness to make known to him the state of commerce and the ordinances thereof within the city of London, as far as he was acquainted with the same, who, having gathered the objects of his inquiry, paused awhile for reflection, and presently answered him as follows.

CHAPTER III.

LONDON.—THE GUILDS.

"I WILL make no mention here," said he, "of the origin of the king's prerogative for the regulation of commerce. Concerning this you may consult, if you will, my master, the Treasurer, whose knowledge of these things far exceeds that of other men. But what the conditions are of the traffic of merchants, both natives and aliens, within this city, and equally throughout the realm, and of the mysteries established here, I will briefly set forth. And this you must note first of all, that some merchants of this land are more favoured than others, which favour is due to them by the terms of their charters only, and not as some have thought common to all men by the laws and customs of the realm; for no man can have an absolute property either in the land or any product thereof, but only by service to his lord, and the king is the lord over all merchants, except they have some other.

"And first of native traders such as the citizens of London. These men have long since redeemed the uncertain services and base condition of such as flock together upon the land of a lord or of the king to practise merchandise, having fined with the king for their charter, whereby they are assured, amongst other things, of the following: to render the ferm of their county at the Exchequer by the hands of their sheriffs, with such allowances as may be seen in the Great Rolls there; to have their own justiciar, and to do justice to

one another according to the customs of the City ; to be quit of the assessed taxes which are rendered in the Hundreds of England, and to be free of all tolls everywhere throughout England. Moreover, the king has granted that they shall enjoy free chace in the forests around London, and he has placed their river in defence, that none may obstruct the passage thereof, nor otherwise hinder the enjoyment of the same ; and so of their highways by land, which none may straighten or disturb ; yea, and of the sea itself, for these are their avenues of commerce. Yet although by this their charter and by the confirmations thereof, they are thus firmly established, and by the due payment of their ferm, and of such tallages and contributions as may be required or desired of them, are quit of all other charges soever, they nevertheless are charged with the due government of their City. And in default hereof the king shall either exact a grievous penalty or resume his government over them. Thus I have seen in recent times a city amerced for divers neglects or trespasses, as for murder undiscovered, for harbouring outlaws, for the escape of prisoners, for default of justice, for assisting the King's enemies,—as happened to many towns in the late troubles,—with many other offences against the public safety.

"And besides these liberties, which are common to the whole body of the citizens, there are divers others for which the several societies of merchants, and every freeman for himself, must make a fine with the king. Thus the guilds within every city render an annual ferm at the Exchequer, as the weavers and fullers and vintners and cordwainers, with divers others, and without this they are reputed adulterine and unlawful. Moreover, the citizens render a common fine to the king for license to trade in certain commodities, as they do in most cities of England to buy or sell dyed cloths.

In addition, all merchants whosoever are distrained for the king's Customs at his ports and barriers, but at the ports and gates of their own cities they pay the dues accustomed to such as have franchise of the same, and also for the support of their city so long as they have the government thereof.

"Lastly, these merchants, each for himself and all together, are accustomed to fine with the king for his license or protection,—as to export corn, fish, cheese, honey, grease, and other victuals, besides wools, hides, and tin, and to import wines, woad, fur, wax, silk, and many other merchandises.

"And by this you may see that the king has a claim upon every kind of produce of the country which is carried beyond the seas and whereby his state may be diminished and the land impoverished by the greed of a few men. Moreover, some recompense is due to him for his cost and charges for the safe-guard of the seas, and for the preservation of rivers and highways.

"Now, as for alien traders, they too fine with the king for license and protection, but in a greater degree, since both they and theirs are in the king's hand to do therewith as he pleases, and especially because they stand most in need of his protection by reason of the contempt and envy in which they are held by the subjects. And truly they are well able to pay these impositions by reason of the great profit that they have through their dealings. Besides these aliens who fine thus for license to bring their ships to land at the king's ports, and to traverse the kingdom towards the great cities or fairs, paying only reasonable tolls, and afterwards to depart in safety, there are others who for a long time past have sojourned here continuously, chief amongst whom are the Flemings, first established in this country by our King's grandfather, for the advancement of the art of cloth-making,

and the Jews of whom we have spoken. These aliens, from their first residence here, have been under the especial protection and control of the king, and both are equally obnoxious to those of English race, and notably the Flemings, because of their advancement of the mysteries of weaving, fulling, shearing, and dyeing of woollen cloths to the prejudice of the wool-buyers and shippers, as well as of those merchants who buy and retail imported cloths with great profit, for now the exporting of wool is restrained on behalf of these weavers and others, and there is even danger lest foreign wool should be imported into the realm."

"Behold, brother," Richard interrupted, "you advance now as it seems to me two contrary things; for if they who formerly shipped their wools abroad shall now sell them here, and they who bought foreign cloths shall now buy native-made ones, wherein can you show them to be damaged by the custom that you have described?"

"Can you then not guess," replied William de Glanvill, smiling sadly, "the difference which exists between the true and the supposed interests of the subjects, otherwise the objections that I have just now made would seem to be of none effect? But see, the whole matter lies thus. In the first place, these men are for the most part aliens, hateful and suspected on that account alone to the commonalty. Again, the restriction of shipping native wools, and also the increase of foreign wools imported, has the effect of lowering the price against the seller. Moreover, the retailer of native cloths doth lose much by the strictness of the assize, and also the quality of the same is far inferior to that of imported cloth, and the price is small in proportion, whereas that of cloths imported, both skarlets and rays, is suited to the luxury of the age. And if you would know why these things are so

ordained, it is that the king cares little to see the pursuit of agriculture exchanged for that of grazing, to the advantage of a few over-great merchants, but rather that the country may retain its wealth, so that the number of plough-lands to be taxed shall not be diminished, and at the same time that the cities may be rendered more fruitful by the industry and contributions of these weavers and their fellow-craftsmen. As for the Jews, they are an infinite source of wealth to the king, for they pursue their traffic under such rigorous conditions that they can scarce avoid the breach of some of them, whereby they shall forfeit all their goods to the king, or pay a grievous fine by way of ransoming themselves; so that if by the protection of the king they have grown rich at the expense of the subjects, so by the vigilance of the king's officers they are equally likely to disburse a large part of their gains at the Exchequer."

"I do now fully perceive your meaning," said Richard, smiling in turn; "but proceed now, I pray you, with the matter of the trade regulations of this city."

"These truly, as you may believe," replied William de Glanvill, "are even more burthensome than those imposed by the laws and customs of the realm, and there are many who count themselves oppressed hereby, through the advantage gained by the rich at the expense of the poorer sort of craftsmen, who are forbidden, as it were, to better their condition by their own skill and enterprise, but must still be content to minister to their own brethren. Thus we may see how an ordinance that once was of good effect, to the advantage of all alike, hath been abused through the lust of power and wealth, to the undoing of deserving citizens. But as for our noble city here, you must needs have observed that each craft or guild has its own place assigned to it, whereby

both the excellence of its work is enhanced, and likewise the convenience of traffic therein, especially by reason of the repression of all deceits, and the adjustment of prices through the vigilance of the guildsmen themselves.

Fig. 10.

"So you will find the saddlers settled at St. Martin's, the cappers in Fleet Street, the fullers in Candlewick Street Without, and the cooks and vintners beside the river of Thames. In the like manner there is a separate market appointed for each of the great staples of commerce, as wool, cloth, corn, cattle, woad, and others, besides the butchers' shambles and fishmongers' stalls. All these trades, then, are wholly governed by their own bye-laws and the customs and ordinances of the City, and, some say, by the assizes of the realm; and such as offend against these are heavily condemned. Thus I remember to have seen a baker drawn through the streets to the pillory, bound upon a hurdle, and a loaf of light weight hung about his neck. And an equal punishment is reserved for the frauds of those who work in false jewels or furs; forestallers of provisions, who board the ships before they have reached their moorings, and bargain for the whole cargo, with intent afterwards to raise the prices; and of the fripperers, who turn old coats and mantles, which they offer for new. Finally, the quality of all things for sale, and their prices, are fixed by the appointed officers in each liberty or ward, such as the ale-tasters and others.

Moreover, every man is restricted to work at his own craft. Thus a lorimer may work nothing but horse-furniture, and a painter or joiner nothing but saddle-trappers, a cordwainer must not patch shoes, nor a cobbler make them.

"And now as to the regulations for alien merchants within the City itself, which indeed, like those imposed by the Crown, are most numerous and burthensome. These men, as soon as they have passed the creek called Yanlet, are amenable to the jurisdiction of the City. Then, when they have moored

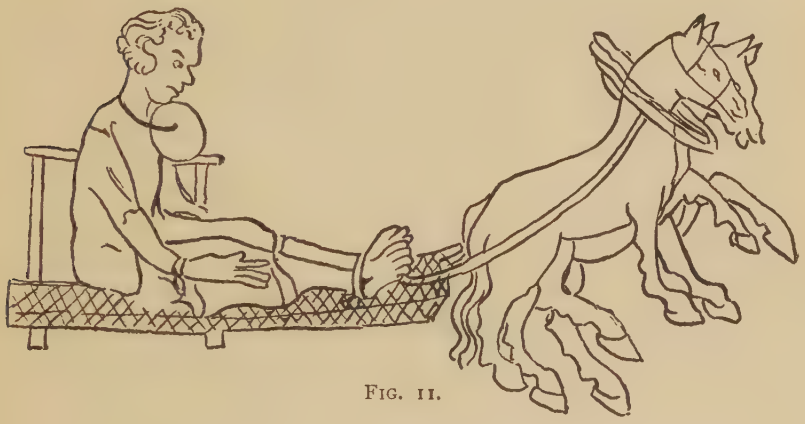


Fig. 11.

in the river, and have paid the king's Customs and Prises through the hands of his Chamberlain, and the port dues of several kinds according to custom, they are free to land their wares at their own leisure. Nevertheless, they may not stay longer in the City than forty days, nor refuse any reasonable price for their goods, nor sell them to others than citizens, and then only by wholesale. They may not warehouse their bales, nor in any way conceal their wares, neither may they lodge with any but the host who shall be assigned

to them, and at all times they must buy freely, according to their means, of the commodities exposed for sale within the City. Some aliens there are, however, who enjoy many privileges not accorded to the rest, and who are free to deal as they list, paying the rightful customs, such as the Danes and Easterlings.

Fig. 12.

"And now behold I have told you all the conditions of the commerce of this city, and equally of the whole realm, as far as the same is known to me; yet doubtless there are many other things worthy to be noted, which are known only to those who are practised in such matters."

"Nay, brother," replied Richard, "I give you abundant thanks for your learned discourse, whereby a man may comprehend the excellence of the kingly power which is reflected in the government of this city; whereby also our King and his subjects are equally benefited without injury to any man, but rather to the lasting salvation of the bodies and souls of all the Christian people."

CHAPTER IV.

LONDON.—THE GAMES.

AT an early hour on the following Monday, the brothers went abroad together, as had been already agreed between them; and Richard asking what miracle it was that should then be set forth, John replied that although this was the feast of St. Perpetua and St. Felicity, yet it was not intended that their passions should be represented at that time; "for," said he, "the legend is both obscure, and also difficult to realize. Since doubtless you are aware that the saint first-named was one of a company of martyrs who suffered, as some say, under Severus the Emperor, in the parts of Mauretania; who, being thrown into prison, together with her playfellow Felicity, and several noble youths, who had likewise refused to offer sacrifices to idols, lay there in the speedy expectation of death. And there she saw a vision, as of a stairway leading up to heaven, but hedged with naked swords, and guarded by a monstrous beast. And by this token she knew that she should suffer for Christ's sake; and so, forsaking father and husband and child, she remained steadfast in her faith unto the death, being thrown to the lions with her fellow-martyrs. And therefore, since there is now an interval between the mysteries of our Lord's Nativity and of His Resurrection, it is intended to represent to-day the fourth miracle of St. Nicholas, for the sake of example to the boys

in the schools, whose festival, or rather carnival, it will be on the morrow."

The miracle was appointed to take place at the Church of St. Paul, and there they found a large concourse of spectators already assembled.

Immediately in front of the west door of the church a spacious scaffold had been erected, draped with canvas. On opposite sides of this stage two pieces of cloth were laid, each of which represented a permanent scene in the play; on the right hand being the city and palace of Excoranda, in Asia, and on the left hand the capital city of the Agarenes. In the background, the door of the church itself was left open, representing the Church of St. Nicholas, without the walls of Excoranda. The stage furniture consisted merely of a few raised chairs and a table-board on trestles on either side, with a silver cup, and certain wooden trenchers.

The personages of the play were already grouped in their respective positions; the scene on the right being occupied by Geton, the Christian king of Excoranda, with his queen Euphrosyne seated beside him, and engaged in caressing a fair boy of twelve summers, who was nestled at her feet. At a respectful distance stood two choruses of men and women, who acted now as attendants, and later as comforters of the bereaved parents. On the opposite side of the stage Marmorinus, the Pagan king of the Agarenes was enthroned, clad in armour with a crown upon his head, and surrounded by his thanes, likewise armed. When the spectators had gazed their fill upon this *tableau*, a bell was rung as a signal that the play was about to begin. As soon as silence was obtained, the armed knights quitting their motionless attitude before the throne of King Marmorinus, and advancing one by one, went through the form of rendering homage

with the accompaniment of a chorus of extravagant praise, culminating in the request that their lord the king should name any wish that could be gratified by his faithful followers. Thus incited, Marmorinus, with a haughty gesture, bade them go and bring all nations under his power, which command some of their number at once hastened to execute.

Here the first scene ended abruptly, Marmorinus and his Court resuming the semblance of waxen effigies, while the group that occupied the scene on the right was now set in motion. Here a procession was formed, headed by the royal family, which wended slowly through the door of the supposed Church of St. Nicholas, preceded by priests and choristers chanting an appropriate hymn in praise of the saint. No sooner had this procession disappeared from sight, than several armed knights made their entry, as though coming from the court of Marmorinus on their boastful mission. These then rushed with drawn swords into the church, whence the throng of worshippers immediately issued in wild flight towards the city. All the fugitives were now seen to have made their escape; but the youthful Prince of Excoranda was not among them, having been left behind, as the audience knew well, in the confusion. Presently the knights reappeared, leading the boy, fast bound with cords, and so returned across the stage, to the city of the Agarenes. Thus the third scene opened with a joyful chorus of knights, who claimed the successful accomplishment of their task, and dedicated the captive to their master's service. Thereupon Marmorinus, after an unctuous hymn of praise to great Apollo, proceeded to interrogate his new slave as to his parentage, and particularly as to his religion, who, nothing daunted, replied that he was a king's son, and that he worshipped God, who made the seas and all things else, including King Marmorinus himself; at

which bold speech there was a loud outburst of applause among the audience. It was in vain that Marmorinus in dumb show sought to explain that Apollo was in fact the creator in question, for the boy indignantly repudiated this conception of a senseless idol, which, he observed, amidst repeated applause, was both deaf and dumb, and by no means able to help itself. But the king, much perturbed, commanded him to be silent, lest Apollo should be enraged, and so destroy him.

Now the scene changed once more to Excoranda, where Queen Euphrosyne was seen returning frantically towards the church in search of her son. Not finding him there, she was overcome with grief and despair, which she expressed in most mournful lamentations. The chorus of female comforters then came forward, but failed to restore her composure. At length she was entreated to confide her sorrow to the saint, which she did in a most pathetic hymn, binding herself by a vow not to eat flesh or drink wine until the lost one was restored to her. Hereupon, King Geton entered, and expressed his approval of her pious resolution, which was to be confirmed on the morrow by a solemn service in the church. At this point the church door was thrown wide open, and the interior was brilliantly illuminated whilst this service was being performed, after which the queen was seen on her return to the palace, laying meat and wine upon a table, for the entertainment of the poor, she herself being bound by her vow not to partake of them.

The view of these preparations in the distance now seemed to rouse King Marmorinus, for he began to call loudly for meat, which was surreptitiously brought to him from Queen Euphrosyne's table. Meanwhile, other attendants had brought a ewer and towel for his hands, and so with the remark that he never remembered to have been so hungry before, he fell

to; the spectators following every mouthful with the keenest interest. Having satisfied his hunger, he next called for wine, and by an afterthought desired that his slave, Geton's son, should bear the cup. At this speech the little prince began to weep bitterly, and to bewail his hard lot. Then Marmorinus asked impatiently what harm he had received that he should lament himself so grievously; who sadly replied that he was bethinking him of his home and parents, from whom he had been parted so long. Moreover, that he could not forget he was a king's son, and his bondage was hateful to him on that account. To this outbreak Marmorinus replied with a sneer, that he might spare his tears, for there was no power that could lift him forth from his bondage. The last words were spoken by the heathen king in a loud voice, and with the ring of a challenge in them that caused the uninitiated among the spectators to hold their breath, and a deathlike silence ensued as all turned their eyes to where the apparition of St. Nicholas was about to appear. Then a draped figure issued from the church, stalked rapidly across to the palace of the boastful Marmorinus, who, with all his followers, fell flat upon their faces, and taking the young Prince of Excoranda in his arms, bore him, with the cup still in his hand, to the outer edge of the carpet on the right, and dropping him there, stalked back again to the church, and disappeared. Presently, a citizen of Excoranda, passed by, and halting to examine the youthful prince attentively, as though suspecting him of the theft of the silver cup, proceeded to question him sharply as to his business there. To which the latter replied very simply, that he had found himself there, thanks to good St. Nicholas; adding that he was King Geton's son. At these words the citizen ran towards the king, bidding him rejoice, for that his son was

without, praising St. Nicholas. But foremost Euphrosyne ran to her son, and clasped him in her arms, and wept and laughed, and then, remembering her vow, and how it had been answered, she opened the fulness of her heart in a passionate hymn of thanksgiving to God and to St. Nicholas.

Then the play ended, leaving her kneeling thus, and the chorus softly chanting the *Copiosæ caritatis.*

After this pleasant entertainment, the spectators adjourned for dinner; but in the afternoon Richard went at his brother's invitation to witness the learned exercises of the scholars of London, which were publicly held on the eve of the carnival. Here those scholars who had been selected from the three great schools of St. Paul's, St. Martin's, and the Holy Trinity, to give a display of their acquirements, were drawn up by their respective masters, in the presence of the master of the schools of London, with whom several learned doctors were associated as examiners, among whom Richard recognised his old friend, Jordan Fantosme, himself the master of a flourishing school at Winchester, and several others. These doctors, each in turn, put a number of questions, for the most part in logic, grammar, and arithmetic, which were on the whole satisfactorily answered by the scholars. After the several classes had been put through the more elementary propositions in these subjects, several of the most advanced scholars were next called forward to display their skill in disputation. This, however, was merely a conventional exercise, for the schoolman who could argue without begging the question was yet unborn, and the inductive methods of the Eastern philosophy had not as yet reached the Western seats of learning; or rather, Master Abelard of Bath was without honour in his own country.

To the proposition, "Whether rhetoric is useful or no," one

scholar, starting from the antecedent, showed that it is the science of speaking well, and that if it is the science of speaking well, it is useful. Now, it is the science of speaking well, and therefore it is useful. But to this another scholar, starting from the consequent, proved that if it be useful it must needs be the science of speaking well. But it is not the science of speaking well, and therefore it is not useful. Then, as though to balance these conflicting statements, a third scholar, by means of discarding the invidious negative of the preceding formula, showed that it is not the science of speaking well, and therefore it is not useful; and yet that it is the science of speaking well, and therefore it is useful. The reputation of the useful science in question having been thus happily saved, to the great edification of the spectators, these select scholars joined in ringing the changes on a predicative syllogism, uplifting their voices in a kind of rythmical chant. Anon, at a sign from the master, they began again, converting or reflecting the original proposition after the approved method. All went smoothly until it came to the turn of a St. Martin's scholar to continue the argument, who, in advancing the plausible statement that "aught that is just is honest, and naught that is honest is base, and aught that is just therefore is not base," provoked a smile from the initiated portion of the audience, and a general titter among his schoolmates, especially those of St. Paul's, and, finally, the dire wrath of his own master, who, leaping to his feet, exclaimed furiously, "Oh, greatest of fools, how often have I not told thee that a particular abdicative must not on any account be converted?" This outburst caused renewed laughter, amidst which the unorthodox dialectician retired in disgrace, his place being filled by another scholar, who completed the formula correctly.

After this came exercises in arithmetic, in which one of the scholars, in answer to questions put to him by the doctors present, explained the several forces of the quadrate number, illustrating his demonstration by means of a block of wood ; while another gave a similar account of the decimal number, illustrated by a row of white pebbles used as counters.

At the conclusion of these serious exercises, the doctors took their departure, together with the master of the schools and his subordinates, after formally dismissing the scholars in a short speech of commendation and exhortation. The latter, however, did not quit the scene, intending, according to custom, to entertain the spectators—who were for the most part their own relations and friends—with the recitation of topical verses, usually in the form of a dialogue, and illustrated by the freest pantomime. The subject of the present performance was the adventures and misfortunes of a countryman in London, a theme which, as in the instance of the famous Norfolk bumpkin, was then and has ever since continued to be justly popular with a section of the public. Not unwillingly, Richard escaped this buffoonery by accepting his brother's invitation to visit the several canons of St. Paul's who were among the number of his friends or kinsmen, in which agreeable occupation they spent the remainder of the afternoon until vespers.

On the following morning, being that of the carnival, Richard went forth betimes to witness the festivities of the season, in the company of his brother ; for, as he observed, although he had now both viewed the principal sites of industry within the city, and was perfectly instructed in the state of the national commerce, there yet remained to be seen the sports and pastimes of the citizens, other than those exercises of religion and learning, all of which he judged to

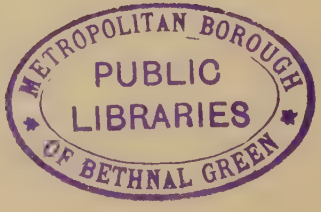
be no slight indication of their spiritual and temporal welfare. With this proposition John the Clerk fully agreed; and although he added there might be many evidences of degeneracy in the civic character, such as an increased love of luxury both in dress and diet, a passion for gambling, and the yet more deplorable vices of drunkenness and lust, which bore deadly fruit in the physical and mental decay of the rising generation, as well as in the fatal frays, incendiarism, and political turbulence that too often disgraced their city, it was yet impossible to deny the hardihood of the age, which

Fig. 13.

delighted more than ever in the rough and dangerous sports of their ancestors. Among these, hunting was to be mentioned first, both the chase of the forest beasts, boars, wolves, and wild cattle, as well as the less dangerous pastimes of coursing and hawking, in all of which the citizens were famed for their courage and dexterity, and the free exercise whereof in the adjacent forest and plains they esteemed among the greatest privileges of their charter. Besides these, there were the games practised by the youth of the city at different seasons of the year, as the game of ball in winter, cock-fighting and bear-baiting at Shrovetide, mimic battles in

Lent, and water tournaments at Easter; with games of greater precision in the summer time, such as archery, hurling the javelin, and quoits, together with wrestling and foot-races. Then, as the evening drew on, the sound of minstrelsy would be heard, whereat the young men would cease from their games and hasten to choose their partners for the dance among the maidens.

By this time the brothers had mingled with the crowd of citizens, for the most part standing idly before their doors, and engaged in looking on at the innumerable cock-fights organized by the scholars of London. Almost every boy went about on this day with his fighting-cock under his arm, and in all the open spaces rings were formed, within which the rival champions were pitted against each other. In the afternoon there was a general move towards Smithfield, where the more dangerous and exciting sports of bull-baiting and bear-baiting were proceeded with. Thus the day wore on till twilight fell and the stars appeared overhead, and the curfew was rung from the churches. Then all filed homeward, and the streets became dark and deserted, and the watches were set, and the barriers were drawn. Richard likewise sought his lodging, where he took a short leave of his brother, purposing in a few days from thence to visit his friends at Westminster, on the occasion of the King's coming to London for the great council to be held in the cause of the Spanish kings there.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CHAPTER V.

WESTMINSTER.—THE KING'S HOUSE.

At an early hour on the following Saturday, Richard de Anesti, after hearing matins said in the Church of St. Paul, set forth in the direction of Westminster, which he reached after half-an-hour's walk along the broad strand of the river Thames to the hamlet of Charing, and thence past the pleasant gardens and orchards and suburban villas of the wealthy citizens. Here he was at once admitted, by the northern gate, within the outer walls of the palace, where he was conscious of the unusual stir occasioned by a royal visit. The spacious courtyard was thronged with valets busily polishing hunting-spears, horns, and other implements of the chase; grooms leading chargers and palfreys magnificently caparisoned; falconers from the neighbouring mews seated on the stone benches against the walls, allowing their hooded falcons to bask in the warm rays of the morning sun; huntsmen holding in the leash shaggy wolf-hounds, slender coursing-dogs, and wiry vulperets; whilst to and fro hurried an endless stream of clerks and serjeants, and men-at-arms upon the business of the great King, who required of all other men that punctuality and order which he wholly neglected in his own person.

Fig. 14.

The Palace of Westminster, as befitted the centre of Norman government, was itself an unequalled specimen of Norman architecture. A worthy lay-companion to the Saxon abbey which still indicated the political importance of the Church as the wise counsellor of the temporal ruler. The plan of the great block of buildings which faced Richard de Anesti was, in fact, that of two palaces joined into one. The new palace lay to the north, being surrounded on that side and towards the west by the new courtyard, on the east or river side by a spacious garden thickly wooded down to the very edge of the Thames, and on the south by the outer walls of the old palace. The buildings in this enclosure were few and formal in character, this being, as it were, the official wing of the palace ; for since the Red King failed to supplement his stately hall by appropriate chambers, his successors had continued to inhabit the residential portion of the old Saxon palace during their infrequent visits to London. Besides this great hall, the nucleus of the greater palace fated never to be built, the new palace comprised a large building on the north-east side, occupied by the two chambers of the Exchequer. Beyond this house, at the south-east angle of the great hall, was a square tower, formerly connected with the defence of the river gate of the palace, but now used as an official residence in connection with the Exchequer house and the royal Chapel.

The old palace lay within a separate enclosure to the south, its principal apartments forming an irregular line on the east side of the old courtyard, with a long wing extending on the south as far as the precincts of the Abbey. The walls of the courtyard on the north and west were embattled, whilst on the south the palace was defended by an outer palisade surmounting the banks of the swift stream which flowed into the

Thames at Millbank. On the east side the gardens were continued down to the river, with various outbuildings in their south-east corner. This palace was purposely built by the Confessor in close proximity to the Abbey, to which it originally lay open on the west, the sacred edifice having been utilized in many respects as an official department, at least for the custody and administration of the royal treasures and records.

On the north lay the great hall of the old palace, abutting on to the south end of the hall of Rufus, and forming with several smaller chambers the south-eastern angle of the palace.

The chief peculiarity of this noble suite of apartments lay in the fact that they were all situated on the first floor, being built over a series of low vaulted cellars, which were now used as the departments of the great officers of state—the butler, larderer, and the rest—as well as for the accommodation of the resident courtiers. In the south wing of the old palace were placed the kitchen and other offices, which extended indeed in an irregular line westward as far as the Abbey, and eastward to the river.

Crossing the courtyard towards the river front of the new palace, Richard entered at a low doorway in the flanking tower of the south-eastern angle of the building, and after ascending a long winding stair, he found himself in a low but cheerful chamber, furnished in the simplest manner, and resembling a monastic *scriptorium* rather than the apartment of a palace. Evidences of clerical pursuit were visible in parchment rolls and vellum-bound books which lay upon the oak table and filled the iron-bound chests against the walls. In the deep recess of one of the turret windows a middle-aged man, in the habit of a canon, was seated, gazing abstractedly upon the numberless wherries

and barges which thronged the river beneath. A stranger saw in this listless spectator of the busy world without, a man prematurely aged by the austerity of his religious practice, not more than by deep study and the cares of office, which had pinched his once handsome features and furrowed his lofty brow. A scholar and statesman he sat there proclaimed, the son (it was whispered) of England's great minister in the radical process of reform which followed the anarchy of Stephen's weak rule—that minister who was himself the nephew of the great judge, statesman, and financier to whose genius the official constitution of this country owes the lasting form which has served as a model to every European country.

The Treasurer, for it was he, rose at Richard's approach, receiving him with great kindness and with many assurances of his readiness to serve him in his business at the Court.

"At this very hour," he observed, "the King will converse familiarly with the courtiers and household officers upon all manner of subjects; therefore I will, if it please you, introduce you into the King's Chamber, where you will both see and hear many things of interest."

To this proposition Richard de Anesti eagerly assented; whereupon the Treasurer, motioning him to follow, led the way through an inner doorway and down a short flight of stone steps, by which they descended into the hall of the Rufus, whence through a doorway at the upper end they reached the hall of the old palace. This was now used as an apartment of semi-state, where the King usually dined, the upper end being screened off from the chamber, in which he transacted his important business of state alone, or with the assistance of such of his household ministers as he might summon to his presence. This chamber, which

they now entered, was hung with canvas newly dyed of a deep crimson, and the walls were here and there emblazoned with the royal arms. The floor was strewn with dried rushes, and at the upper end of the room was placed a chair having the arms and legs carved at the extremities in ivory, to represent the head and feet of a wild boar, the seat being draped with scarlet cloth. There was no other furniture in the chamber, though the recesses of the windows were fitted with oaken benches, which were strewn with a miscellaneous litter of hawking gear, musical instruments, and the latest literary productions of the Court.

A large and varied assembly of courtiers filled the chamber, broken into several groups, each engaged in animated conversation. All were standing, and Richard noticed that whether speaking or listening, every man kept an eye upon the inner door of the room, which was guarded, like the outer one, by serjeants of the Chamber. The Treasurer, after exchanging brief but cordial salutations with those who stood nearest him, took advantage of the uninterrupted buzz of conversation to inform his companion in a whisper of the names and rank of the courtiers who were present, with a few remarks upon the character of each

"The Church of God," he said, "is especially honoured by our most Christian king in his wise selection of his ministers. Of such indeed is the whole number of the bishops, though not of the household, except Richard, Bishop of Winchester, who is now, as you are aware, absent on the King's business in Normandy, and him of Bayeux, who is equally trusted with the royal confidence, which is likewise the cause of his frequent absence from the Court. However, there stands the central figure of all learning in this age, the great Bishop of London, conversing, doubtless on some point of doctrine,

with Ralph, the Dean of the Church of St. Paul, and his namesake, the Almoner of Westminster, who preached to us last Wednesday a truly stirring discourse upon the fashionable follies of the age. Next to these you may see the new Abbot of Peterborough, a man well known to myself for his love of all good books, many of which he has transcribed with his own hands. He is now at Court on a matter connected with his monastery, and he purposes to take back with him, to be copied, my own book, "Tricolumnus," which I have agreed to lend to him. The tall and burly priest with whom he talks so earnestly is Master Roger de Hoveden, one of the King's chaplains, and also a skilful justice, especially in the visitation of the forests beyond Trent. He, too, is a great compiler of history, and has already copied the "Tricolumnus" with his own hand, and many other books beside. Not far off stands another of the King's justices, Master Walter Map, whom all men know for his bitter speech of such as shall displease him. You may see round him a company of other learned and facetious writers. There is John of Salisbury, surnamed John the Little, a person, however, of prodigious learning, and now, as you know, Bishop of Chartres; there, too, are Master Walter the Archdeacon, Gervase the Clerk, and the memorable poets Jordan and Benoit, who are now most in favour with the king and his gay courtiers, to the grief, as some say, of Master Geoffry Wace, who himself has appetite enough for all their praises. These now are gathered yonder in the hope of an encounter between Master Walter, who is privileged by reason of the King's favour to him, and my lord of Ely, whom he hates even worse than he does a Jew or Cistercian. Yonder, too, are Robert Abbot, of the Mount, in Normandy, who is at Court on business of his monastery, a learned historian of the things done in his youth, and with him the

two brethren of Glanvill ; that is, Randolph, the wise justice, who is even now engaged upon a certain treatise touching the laws and ordinances of the King's Court, taking the form thereof from my own treatise upon the customs of the Exchequer ; and Osbert, a clerk of the King's Chamber, who is but lately returned from escorting the King's daughter to Sicily. These two are ever near the king's person, with those of his private family, as the brethren of Estutevill, and others of whom I will speak further at another time. Lastly, neither standing nor talking, are two great ones of the Court, playing at the chess in virtue of their familiarity with the King. These are Bertram de Verdun, another of the King's justices, who it is said, is destined to go towards Spain as bearer of the great award between the Spanish kings, and Master Thomas, who keeps the third roll on behalf of the King at the Exchequer. You may see that it is a mighty contest between them from the eager expression of those who overlook the game, amongst whom is my own brother William, of the Exchequer, for whom I composed my treatise before mentioned. The King's chamberlains are in attendance upon him in his closet (except Robert Mantel, who has the custody of the Queen's household, that is to say of her person), and there, too, you would doubtless find the seneschal and marshal of the household. There, I think, you have all who are now present, though I marvel much where is Richard de Luci, the justiciar."

At this point the Treasurer was engaged in conversation by Robert de Monte, as he was commonly called, and Richard, left to his own devices, approached the principal group of speakers, between whom a most animated discussion was being carried on with profound learning on both sides, enlivened now by brilliant sallies, and now by a telling

anecdote. The matter under discussion was the reality of dreams and apparitions, respecting which one party held that such manifestations were regulated by the bodily and mental state of the subject, while another party was of opinion that all men are liable to supernatural experiences for which it is not possible often to assign any cause or motive. On the side of the former, John of Salisbury argued as follows: "You will grant," said he, "that there are five distinct species of dreams or apparitions, and that the figure and signification of each is distinct. These then are sleep, sleeplessness, nightmare, oracle, and vision; whereof the three first only concern ordinary mortals, and all of these follow natural causes, as fatigues or excesses of the body which oppress the motions of the heart and brain. In the remaining cases there is a true vision or inspiration, but only to very holy men, or else as a warning to tyrants, and even so rarely to themselves, but through the mediation of a prophet or soothsayer. Wherefore, I say, it is not permitted to the baser sort to receive such manifestations as they commonly pretend unto, especially amongst the Welsh, but only to the great and holy ones. For just as these have the power after death of revealing themselves in a vision or by a miracle, so during their lives these only are obnoxious to the same manifestations."

"Now truly," broke in one whom Richard recognised as Master Walter Map, "you have spoken inadvisedly, urging doubts rather than probabilities. For if these things have been manifested to princes and hermits, is it not likely that the same should have happened to other men who are of the same flesh and blood as themselves. Moreover, such appearances are too numerous to be denied, and all men are obnoxious to them who chance to meet with them. whether

asleep or waking. Know, then, that this earth is peopled as well by men as by spirits, the one sort inhabiting the open plains and cities, and the other the recesses of the woods, mountains, and streams. These, it is well known, are the descendants of the fallen angels, who have places neither in heaven nor in hell, and these, according to their nature, love to vex and torment the race of men, without any respect of persons. Truly there are miracles and visions also, of which you have spoken, but widely different, for these are the manifestations of the good angels of God and the saints. And it is easy to see that you have never dwelt in the land of the fairies, as I have done, and Master Giraldus, who, were he now present, could relate many adventures of his countrymen with these spirits. I myself, passing through the glens of that country by night, have seen strange shapes amongst the rocks and trees, and have heard strange noises as of some one sobbing and groaning, and at other times of singing and laughter in the air. Nay, smile not, for there are many living who could affirm the same. And in order to convince you of the truth of these things, I will relate a prodigy which was told to me by a certain bishop who was privy to the whole affair.

Fig. 15.

Fig 16.

"There was formerly a priest in the diocese of St. Asaph, who was indeed both free and merry, loving ease and fat living as though he had been bred a Cistercian, and yet

acceptable to all men for his fair conversation and learning, careful of his people and bountiful to the poor. This man, walking abroad one morning by the strand of a certain lake, found there a beauteous maiden sitting, dressed all in rich apparel, weeping. And he speaking benignly unto her, and asking the cause of her sorrow, she made answer that her brethren had left her so, and would say nothing further. Then the priest, taking compassion upon her, and being further mindful of her beauty, took her home to his house, where she dwelt with him to his great contentment. And after some months there was a great plague in that parish, whereby many fell sick and died, in this manner. For there appeared unto them in the night time an apparition of a

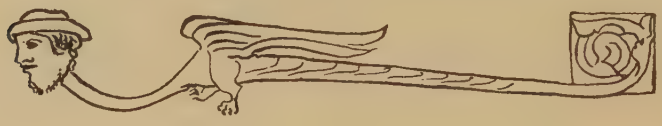

FIG. 17.

fair woman, with long hair dishevelled ; and all to whom she appeared died before evening of the next day. But some one bolder than the rest rose and followed her, who fled before him to a certain sepulchre, and there entering, vanished. Now when this was told to the priest, he, marvelling what it should mean, went straightway and told it to his bishop ; and the bishop bade him open the sepulchre and take up the body that he should find within, and strike off its head, and then bury it again, besprinkling the sepulchre with holy water and laying thereon a rood. The night following, therefore, the priest went with certain others to the sepulchre, but when they were come thither they found it open and the corpse gone. And the next night the priest lay awake

and watched, and behold at midnight his friend rose softly and went forth, and he, following, saw her enter in at a neighbour's window. Thereat he made an outcry, and the woman fled forth, and he pursuing her till she came to the sepulchre, and there entering vanished. But he, having a sword, opened the sepulchre, and found therein a corpse in the very likeness of his friend, which he raised, and smote off its head, and fetched holy water and a rood, and did as the bishop had told him. Whereupon the plague was stayed, but the priest died the next day at nightfall."

As he concluded his story, Master Walter looked round

Fig. 18.

with undisguised triumph at the awe-struck countenances of most of his hearers ; but after a short pause a jovial-looking knight, who had edged his way into the circle and listened with an amused countenance to the archdeacon's story, broke the silence with a loud voice. "Brother," said he, "this is a strange thing that you have told us; but I myself have experienced the vanity of these dreams and portents which oft-times lead men to their own destruction, whereof I could relate a remarkable instance."

"Hear Sir Hugo de Gundevill," cried several of the by-standers

"I will tell you then," resumed the latter, "what I remember to have once seen and heard, not long ago, when I was holding the assizes in Nottinghamshire. For a certain soc-man beheld a vision of one clothed all in red, who called to him with a loud voice, saying that he should surely perish by the water unless he should become four-legged like a beast. This the man repeated three times, and vanished from his sight; who, thinking that he should save his life from drowning in Noah's flood, and being full of the conceit of this vision, straightway began to walk upon his hands and feet, to the amazement of all his neighbours, who inquiring the meaning thereof, he answered them nought to the purpose, thinking verily that he alone should be saved from that flood, and afterwards possess their lands and goods. But not long afterwards one of the neighbourhood was found dead, eaten as it was thought of wolves, and then others, both men, women, and children, likewise devoured. And because this evil was hitherto unknown in those parts, being champaign, and the season summer, and suspecting a deeper mischief, the sworn men of that Hundred presented the soc-man himself for that he had killed men by witchcraft, that is, as a man-wolf, against the peace of our lord the King. And being sent to the ordeal of water, he was convicted; whereof word was brought unto me, being in the neighbourhood, and the man himself was likewise brought before me by the sheriff, with the witnesses and the record, and there by the new Assize his right hand and right foot were stricken off, and his house carried outside that village and burnt, and he himself was led to the nearest seaport, there to embark and abjure the kingdom. And the same man appeared to him by the way, in a vision, saying that unless he should become without limbs, like a fish, he should perish

in the water. Whereupon he cursed him in his heart, seeing that he was already undone by the trial of the water through his own misfeasance. And coming next day to the sea-side, the wind being contrary, he was bidden by his keepers to enter into the sea, according to custom, which he, seeking to do, stumbled and fell upon his face into the water, and being powerless to raise himself, and holding fast to the bottom, perished miserably."

At the conclusion of this tale some of the company laughed, whilst others looked grave, but Map smiled bitterly, as was his wont when crossed in argument, saying thus :

"Truly, brother, I marvel that one so learned in the laws should yet be ignorant of the Assize of Solomon, who would have divided the body of a child justly and impartially between two claimants, and if there had been four of these, doubtless he would have offered to quarter him. But you, it seems to me, made no such equal division when you caused one who stood convicted for having four feet to lose one of these and a hand besides, making a greater monstrosity hereof than any that you now deride. I see plainly, however, that you have the art of computation to make of two and two five, such as my lord bishop yonder is especially skilled in by virtue of his office, for taking of fees and spiritualities within his diocese."

"You speak irreverently, Master Walter," cried the dignitary thus unceremoniously alluded to, who had caught the last remark, which indeed was evidently intended to reach his ears. "Neither know I to what you are referring, unless, indeed," he added, with a desperate attempt to turn the laugh against his old enemy, "you are as usual sneering at the system of the Court and Exchequer, counting upon the well-known license which our King permits to his

poetasters, just as other great lords are wont to amuse themselves with the trifles of their jesters."

"Not so, most reverend lord," replied Map scornfully; "I was but thinking of a certain story that I once heard of a bishop who plundered his clergy, a judge who demanded unjust fees from suitors, excusing himself when he was manifestly convicted of these extortions by the plea that he was confusing Angevin money with sterlings."

This sarcasm provoked a general laugh at the bishop's expense, who, flushing with shame and anger, drew himself up to his full height, and striking the top of his head with his open hand (one of the numerous theatrical gestures which he was accustomed to display), exclaimed furiously, "Now, by God's eyes!——" Here, however, he was interrupted by a subdued cry of "Peace! peace! The King!" and Richard de Anesti turning his eyes quickly in the direction of the general gaze, caught sight of the well-known figure of the great King moving with easy grace amongst his courtiers, exchanging a jest with one, administering a covert rebuke to another, and pausing for a few moments of grave consultation on affairs of state with a third;—to all men alike courteous, decisive, and imperturbable; all men alike to him the carven chess-men of the great game of politics, each with his specified value and functions, to be utilized in the varying combinations of war and diplomacy and popularity by the genius of the imperial gamester.

In person the King was a little above the middle height, squarely built, and with an increasing tendency to corpulence. His head was neither broad nor elongated, but somewhat round, after the Norman type. His face, however, was not oval to match, but elongated, with a prominent jaw and square chin, which gave him a fancied resemblance to a lion.

His cheek bones were high, his nose long and rather flattened and his mouth broad, with lips firmly set. His eyes, the most striking feature, were grey and remarkably piercing, but set too near together, which, with their habitual restlessness, gave a somewhat sinister expression to an otherwise pleasing face. His short and curly beard was of a light chestnut, and like his closely-cut hair was plentifully sprinkled with white. A short, muscular neck, broad shoulders, long, muscular arms, and bowed legs denoted great personal strength and endurance calculated to undergo alike the fatigues of a campaign and of the chase. The King's dress was rich yet simple, consisting of a short mantle of a reddish chocolate, fastened on the right shoulder with a brooch, to leave the sword-arm free, over a long tunic of red cloth flowered with gold, fastened at the throat with a jewelled clasp and showing the edge of the white linen tunic beneath. Tight-fitting crimson hose, green boots embroidered with gold, reaching above the ankle, spurs with red leathers, and a belt of gold broidery with a flap falling half-way to the knee, completed his costume, which differed little—and chiefly in point of simplicity—from that of his courtiers, some of whom were guilty of fashionable extravagances in the shape of jewelled gloves, peaked shoes, and elaborate cross-gartering. This morning it was known that the King intended to hawk ; yet he did not seem impatient to set out, for in truth, next to the chase itself he loved to converse and dispute with his chosen followers. As the King approached near the spot where Richard de Anesti, who had rejoined his patron the Treasurer, was standing, the latter, who stood very high in the royal favour, seized this moment to present his protégé, with a few words in explanation of his appearance as a courtier.

"Nay, I love all Richards," said Henry, with a winning smile; adding immediately, and as though to himself, "especially such as are misbegotten. But I like not the 'nest,' which methinks is built on too high a cliff."

"Yea, truly," replied the Treasurer, catching the King's meaning, "but such eyries are wont to breed the stoutest falcons; here at least is a tassel gentle that I would venture to match with any other."

"Doubtless he is no haggard," returned the King, with an approving glance at Richard; "but you have seen, as well as I, that kites and vultures often take possession of an unguarded eyrie. Therefore I will have none such remaining, but will pull down all. Hear you, Sir Canon—I say all."

The latter bowed in answer, and the King passed on.

"Did you mark that?" inquired the Treasurer in a whisper of his companion. "It was an evil chance that led the King to couple your name with that of his son Richard; for this I could see was in his mind, who loves his natural son Geoffrey better than all his other sons, and therefore, perhaps also he loves me. But truly he, ever bethinking him of the mischief that his sons have heretofore wrought within this land by their turbulence and jealousies, will leave no strong place accessible throughout England; but some he will pull down, as already he has done of old, and others he will commit to the custody of his own men. But think no more of this matter for the present, for behold the King is about to dispute with Master Map, whom he would fain see reconciled with his adversary."

The King, indeed, had now reached the farther end of the chamber, where the two antagonists were still glaring furtively at one another, and nodding familiarly to his favoured clerk, addressed him in tones half jocular and half

ironical. "Have the fairies revealed to you any treasure beneath the earth, Master Walter, that you speak thus impatiently with our barons of the Exchequer, and regard them as mistrustfully as though they purposed to despoil you?"

"Nay, sire," replied the churchman, smiling slightly; "such treasure as I have been able to acquire is not laid up either upon the earth nor yet under it, therefore methinks it is safe from being handled by such as you have named."

"You speak well of yourself, I see," rejoined the King, "but uncharitably of others. Come, tell us, do you not commend the honesty of the servant who seeks to advance his master's interests without respect of persons?"

"His wisdom, indeed, I do commend," said Map, "but scarcely his honesty."

"You are as ever, incorrigible," cried Henry impatiently, "and delight in being wise for others but not for yourself. Now what say you, my lords, to this proposition," he added, raising his voice and addressing the courtiers who stood round: "The king, who governs the whole land, is lord also of all men, and likewise owner of their lands and goods What say you?"

"That what the King says is ever just," replied an abbot who stood near, "saving, however, the liberties of Holy Church."

"And moreover those of the barons of the Exchequer," put in another courtier.

"And of the inhabitants of London, both clerks and laymen," added the Dean of St. Paul's.

"And of the Knights of the Holy Temple of Jerusalem, by the terms of their charter," continued the Grand Master of that Order.

"Say, rather, of the Jews themselves," suggested Map aside to the poet Benoit, "they being the sworn servants of the devil, to whom they sold themselves for a crusader's patrimony."

"Granted that these exceptions are true, and that they are so admitted at our Exchequer," persisted Henry, "what say you to the general principle? or can any man show a title against the Crown? For certain it is that the common safety demands the subjection of all men to one lord, who shall command both their service and their possessions at his need, which is the need of his people, who are his to govern and preserve by the might and wisdom which are given him from Heaven."

A respectful silence followed these words of the King, who was known to entertain strong views on the subject of his prerogative of pre-emption. "You see," resumed the latter, turning to Map, "that the general opinion of our wise men is against your foolish scruples."

"Which only shows," retorted the irrepressible satirist, "that my folly is more honest than their wisdom. For it is well known that all men are secret enemies of the new science of taxation, which the servants of your grandfather devised to cheat simple folk by long phrases, whence have proceeded war and famine and pestilence to the utter impoverishment of the land; and now withal the king is poorer as it appears than his Saxon predecessors, who possessed great treasures through the goodwill of their people. And further, there are many who think that these changes make a military despotism, when the king may seek his pleasure in the adventures of foreign war rather than to be solicitous for the defence of the kingdom, and likewise they think that a love of justice may become a mere pretext for increasing the king's treasure

by fines and amercements, so that soon a man may sin with impunity, so that he have the means to make atonement at the Exchequer."

"With your good pleasure, sire," said the Treasurer in a firm voice, as Map had ended his speech, "I could show that Master Walter Map has spoken inadvisedly; for it is notorious that our King is a lover of peace, and seeks not the glory of war. Has he not abstained hitherto from going with his army to recover the Holy Temple from the heathen, whereby he might easily have had a great aid from his knights, as other princes have done who are now gone upon that journey. And though he has been many times driven to maintain his quarrel against the French king, yet first he sent many envoys and invoked the mediation of the Roman Court. Was he the first to invade the land of Ireland, though it was long before given to him, as this island was given to his ancestors? or is he still at war with the princes of Wales and Scotland? Lastly, is he not at this very time playing the peace-maker between the Spanish kings, who have sent their legates to his Court, that he may bring them again into peace and fellowship with one another. True it is that he is ever prepared for war, by reason of the malice of his enemies; for in the recent rebellion, without the provision of treasure and other necessaries, he would have been caught all unprepared, and would have fared ill, and the kingdom worse. Therefore it is well written, 'The strong man, armed, keeps his house in peace.'"

"By God's eyes, you have spoken well, Master Richard," said the King approvingly.

"And as for that complaint of the perversion of justice,' added Richard de Luci, the justiciar, who had recently entered the chamber, "I will relate something which has lately

befallen to the contrary. Know then that the citizens of London, and especially the young men of the richer sort, not regarding the dignity of the King's barons, but contemning them in their pride, through the greatness of their city, have heretofore sought occasion to quarrel with them in the streets, and even to despoil their houses by night. And as you know, on the morning of the next day after the King's coming hither, the brother of the Earl Ferrers was found dead in the street, his lodging having been broken in the night, and himself slain, and his body dragged forth into the gutter. Whereat the King raged exceedingly, and fear fell upon all his barons, so that they guarded themselves against a like event. Now this very night past a company of the same citizens broke into the house of Robert de Stutevill. But he being armed, with his servants, laid in wait for them, till they had broken down the door with crowbars, and so entered into the house, one of them who was in front having a torch in his hand. Whereupon Sir Robert rushed forth upon him and smote off his hand, so that it dropped with the torch upon the ground; and his fellows, terrified by the suddenness of the thing, and by the darkness, fled out of the door, but Sir Robert held fast the man whom he had wounded, and guarded him till daylight, when he delivered him up to me, who commanded that he should be cast into prison. And here, being offered his life if he should become the king's prover, he revealed the names of his fellows, who were forthwith taken; amongst whom is an alderman of the city, a man of great repute and wealth, who sent for me to the prison, and offered to fine with the King in £500 but to save his life and depart out of the kingdom. With which money the King might provide himself with five hundred men-at-arms for his wars; and yet he will not accept the fine,

but has commanded justice to be done upon him and his fellows. Thus men may see that the chief care of this great prince is not to amass treasure, but to provide for the peace and security of his people."

This fresh instance of the sovereign's prudent government was received with a chorus of extravagant praise from his courtiers, which reduced Master Map to a discreet silence.

Henry now bethought himself of his projected sport, and without further parley repaired to the courtyard of the palace, followed by those among his courtiers who were accustomed to attend him on these occasions.

Richard de Anesti also was about to withdraw when he was accosted by Master Map, to whom he had previously been known, and who was burning to deliver himself of his grievances against the courtiers to a sympathetic ear.

"Who would believe," he began, "that these who are so ready to govern others are by no means able to rule themselves, I say not as Christians, but as valiant knights should do. Truly, they are so occupied with vanities that they have no leisure for religion or learning, which are the chief qualifications for good government. Consider their lands, increased continually by grants and purchases, procured by favour and by oppression of others, and wasted as quickly by mortgages to the Jews, to feed their ambition and luxury; their castles (which seem built to invade heaven itself), with carven pillars and painted ceilings; their courtyards full of outlandish birds and beasts, and their gardens gay with painted flowers and fragrant with spice trees. Then, too, observe the effeminacy of their dress,—their silks and broideries, jewelled gloves and peaked shoes, and their hair flowing like a woman's. For just as some maidens affect the garb of men, straitening their drapery and cutting short their hair, with lascivious intent,

so these Court peacocks array themselves in order to dazzle the eyes of fond dames.

"But I will pass by this wickedness, which has been so often reproved by the holy Abbot of Westminster, and I will mention rather the insupportable insolence of their speech and gait. Thus, they will regard you with their eyes half-closed, affect to examine the nails of their fingers whilst they speak, yawn openly, arch their eyebrows, shrug their shoulders, and many such like impertinences. Also they soften their voices when they speak to women with a mincing tone, but to others they drawl affectedly, and they call rudely upon their servants or inferiors."

"They who are stricken in years appear, on the contrary, either slovenly in their dress and avaricious in their dealings, or else gluttonous, maintainers of cooks and physicians, and lovers of gilt wine cups and jewels and rich trappings and the like. And because of these excesses and of their knavery in seeking gifts and bribes against all justice and honesty (whereof I will tell you something at another time), you may often see these courtiers choosing to endow some monastery and to end their days there, since all men grow soonest weary of evil-doing."

"It is true," replied Richard at length, "that I have myself observed most of the abuses that you have named, and, peradventure, certain others besides. But it is to be remembered that these excesses have been known in the courts of all countries, and are even condemned by the holy Prophets, and otherwise the present age is not to be particularly censured, but rather praised for avoiding the graver sins of olden time, such as impiety and rapine, and others which have been happily reformed by the wisdom and justice of our great King and his ministers."

"Now, truly," said Map warmly, "you speak inadvisedly; for it is well known that the Holy Father himself, and all who attend to the state of the Christian peoples, both in this country and in others, have utterly condemned the sinfulness of the present age, both in things spiritual and temporal; as, namely, plurality of benefices, non-residence of clergy, and the advancement to the degrees of priest and archdeacon of young and unworthy clerks; the sacraments administered only to such as can procure them by gifts. Again, among the regular clergy there are luxury and waste; the brethren fill their purses (who should rightly carry none) with alms, going abroad and living at their pleasure; they also take money of villeins and simple men, to bring their sons to be ordained, whereby the lords of such are daily offended. The Church also is oppressed by the greed and violence of laymen, and the discussions that arise therefrom give boldness to heretics and scoffers, who have greatly multiplied of late. Usury is practised by Christian men without shame, and is become the chief trade of many, and therefore great favour has been shown to the Jews, who have lately gotten for themselves cimiteries in divers towns, whereas Christ's lepers have none such, nor any churches or priests assigned to them. Some amass money by the spoil of wrecks of the sea and by piracy; others sell arms to the Saracens, and assist them against the soldiers of the Cross. Still more waste their substance in tournaments and levy private war, not regarding the peace of the Church, by the hands of savage mercenaries within the days of holy truce. And for all the above evil practices the clergy excuse themselves by the plea of custom, not remembering the punishment of Gehazi; while as for laymen, they set at nought the censures of Holy Church, such as excommunications and interdicts justifying them-

selves with sophistries and hardening their hearts by the certainty of impunity in this world, and by the promise of a late repentance."

Long before Map had concluded this sermon at the expense of his contemporaries, the last of them had quitted the presence chamber; and because Richard too had business abroad, he took a hasty leave of the fiery chaplain and bent his steps toward the city.

CHAPTER VI.

WESTMINSTER.—THE KING'S COUNCIL.

THE following morning Richard de Anesti was awakened at an early hour by his brother, with a message from the Treasurer that he should lose no time in presenting himself in the Hall of Rufus, on account of the great concourse of barons and knights and clerks, learned in the civil law, who should be attracted by the grandeur and novelty of this ceremony. Without any delay, therefore, Richard donned the richly jewelled dress which it befitted one of his rank to assume on such an occasion, and taking advantage of his present familiarity with the clerks of the King's Chapel, he enjoyed the privilege of hearing early mass, attended by the King and his household; after which he followed in the royal train that filed through the private entrance at the south end of the Great Hall. The lower part of the spacious building was already densely crowded with a brilliant company, but the upper end was kept clear by the marshals for the accommodation of the councillors and the distinguished suitors whose cause they were about to decide. Here the King took his seat on a lofty decorated throne prepared for the occasion, having on either side a bench richly draped, on which, and on two other benches at right angles to them, the prelates, earls, and barons who had received summonses to attend the Council, were placed in due order of precedence,—the Archbishop of Canterbury, the Justiciar, Richard de Luci, the

Vice-chancellor, Master Thomas Brown, Ralph the physician, and several other distinguished persons, occupying seats on either side of the throne ; whilst several clerks, furnished with material for writing, occupied a place where they could be easily overlooked by the Vice-chancellor and Master Thomas.

Meantime the less dignified clergy, deans and archdeacons and canons, had ranged themselves on the right side of the hall, and the great body of the king's tenants-in-chief and other lay personages similarly on the left ; those in front seated on low benches, and those behind standing, in order to obtain a better view of the proceedings.

Richard de Anesti himself had taken a position with several officers of the Receipt immediately behind his patron, the Treasurer, who sat near the end of the bench on the right of the throne. Presently a flourish of music announced the approach of the exalted suitors, who entered the Hall by the great door at the north end in three separate divisions.

First came the referees, chosen by both parties indifferently, whose mission it was to guarantee the adherence of the two kings to the present arbitration on pain of forfeiture of several important castles on either side, while it was their further duty to convey an impartial and authoritative report of the decision of the English king to the two contending sovereigns. These referees were four in number—a bishop and a lord, with whom were joined two principals of the Orders of the Knights of the Temple and of St. John. These legates, in their robes of office, preceded by heralds and banners of both countries, and followed by a body of clerks bearing membranes of parchment and ink-horns, advanced slowly up the centre of the hall, and after making a deep obeisance to the King, took the places reserved for them on his right hand. They were immediately succeeded by the

embassy of Castille, comprising a bishop and several nobles of high rank, with numerous clerks learned in the law, the rear being brought up by a mounted knight in complete armour, preceded by a herald and attended by two squires on foot, who appeared as the champion of Castille. The embassy of Navarre followed in like order at a convenient distance.

Then the advocates of both parties having taken their places immediately in front of the throne on either side, the King opened the proceedings by referring to the previous Council at Windsor, at which the conditions of the arbitration and the formal statements of claim had been concluded, and the final hearing of the matter had been adjourned to the present meeting. Wherefore, he concluded, it was open to both parties to dispute in turn upon their respective allegations, before judgment was pronounced. At this announcement, the Bishop of Palenza rose and claimed the favour of the King and his Council on behalf of a native advocate of great repute, who was prepared to argue the cause of his master, Alphonso of Castille.

The King having signified his assent, the advocate referred to came forward and addressed the council with great fluency in choice Castilian Latin, interspersed with quotations from legal authorities. This discourse, which embraced a statement of the lineage of the kings of Castille and Navarre, and a narrative of the historical events connected with the violent usurpation of the territories now claimed by King Alphonso, was illustrated by references to numerous original charters and other documents, which, being handed in from time to time by the Bishop of Palenza, were read aloud by the Vice-chancellor, after which they were closely inspected by Henry himself.

When the Castilian advocate had concluded his argument, an advocate on the side of the King of Navarre replied at length in similar style, denying the allegations of his adversary, and advancing a counter claim to other territories of which his master had been forcibly dispossessed by King Alphonso or his ancestors, supporting also his contention by reference to documentary evidence. In the course of both arguments, the King frequently interrupted, demanding an explanation in clerical Latin of certain passages. The councillors also seemed to exhibit marked signs of impatience from time to time, and at length, almost before the Navarrese had well concluded his speech, Richard de Luci addressed the King to the effect that, without any disrespect to the representatives of the powerful and virtuous princes here present, it was plain that the bishops and barons whom the King had summoned to assist in the decision of this cause were unable to comprehend the allegations of either side any more than if they were spoken in a barbarous tongue, and, therefore, it seemed to him desirable that the advocates should be required to use the Norman tongue, which, he added, was held in most esteem in the courts of divers Christian kingdoms. To this proposition the Bishop of London offered as an amendment that clerical Latin should be admitted ; but this was negatived by a murmur of dissent amongst the lay nobility present, and a lively interchange of views followed on both sides. The King, however, put a stop to the discussion in a peremptory manner, and gave his decision in favour of admitting clerical Latin, but only in written allegations, with which each party was to furnish the Council within three days, in order that when these documents had been clearly explained and discussed by the Council, judgment might be given without further

parley. Wherefore the present meeting was declared to be adjourned.

When the King had given this decision, the two embassies, without venturing any objection, withdrew in the same order as they had arrived, and their example was followed by the majority of those present. The chief topic of interest amongst the military part of the audience was the appearance of the two champions, of whose prowess in the wars against the Saracens many stories had been spread abroad, and the probabilities of the matter being referred to the battle was earnestly discussed on all sides. The clerical element, on the other hand, was anxious rather to argue the points of procedure that had arisen during the recent hearing, and especially the pretensions of the baronage that only the French tongue should be admitted. Concerning this subject, the Treasurer, who joined Richard as the King's retinue was leaving the hall, had much to say, advancing many reasons on either side, but himself leaning somewhat to that of the barons, on the ground that the record of every plea should be made in the vulgar tongue, as being a proclamation more solemn than any deposition in writing; though now, he added, matters were somewhat altered, except in the ancient franchises.

At this point Richard inquired of the Treasurer what difference existed between the sessions of the king's court before the king himself or before his justices. At which the latter replied as follows:

"You must know that the King sits in justice alone and supreme in all manner of causes, yet for the most part he uses to commit the hearing of the pleas of the subjects, and pleas of the Crown touching his revenue, or for the breach of his peace, and of the assizes of the realm, to his barons and

justices; although I have known our King to preside in the matter of a convention made between two freeholders, whilst he has committed the judgment of an appeal of treason to the justices. But in those causes which concern the inheritance of lands and the encroachment upon his forests, and appeals in ecclesiastical causes, he is ever wont to hear and determine everything, with the assistance of his household or of the peers of the realm."

"And in which court," asked Richard, "is the greater wisdom discernible."

"Now, truly," replied the Treasurer, "I am in doubt as to an answer; for though the suitors benefit through the skill and precision of the presiding justices, yet it cannot be denied that our King himself is an incomparable judge of those things which are resolved by the course of the civil and canon laws. For in these causes he is both wise and subtle and resolute, so that none may gain any advantage over him in disputation, as you would have seen had you been present at the hearing of the great cause between the Bishop of Chichester and the Abbot of Battle."

"Nay," said Richard, "but if you remember I was then present, being engaged in pursuing my own causes; and I have also heard of the King's skill in deciding the matter of the inheritance of Earl Bigot in his late court at Windsor."

"However," the Treasurer resumed, "I do not otherwise commend those general processes, for a large assembly is in its nature incapable of judicial gravity; so that the sessions of such a body are generally attended with confusion and quarrels, and even with blows. As to this doubtless you are aware of the reason for the Archbishop's absence to-day, him of York I mean, who is but now recovering from the wounds inflicted on him at the Council holden here last Easter."

"I have heard some rumours of this dispute," replied Richard, "but nothing plainly."

"Then I will tell you," said the Treasurer, "who was an eye-witness, though an unwilling one. The Council whereof I speak was convened by the Cardinal for the reformation of ecclesiastical abuses, and the King was present there with his sons, and all the bishops and abbots and chapters of the kingdom. And when all were assembled in the chapel of the infirm monks, here at Westminster, it was seen that those

FIG. 19.

archbishops, and their suffragans and their monks, were arrayed against one another like hostile armies about to join battle. And presently the signal was given, when the Archbishop of Canterbury went forward to take his seat at the right hand of the Cardinal; for immediately the other Archbishop stood in his way, and claimed the dignity of that place as an ancient privilege of his Church; and because he still pressed forward, plucked him by the border of his pall. Whereupon the Bishop of Ely, who stood by, seized the

aggressor by the back of his neck, and so held him fast, and his cap fell off and was broken. And at the same instant the servants of the Archbishop of Canterbury and others fell upon him, and threw him upon the ground and beat him, and trampled on him with their feet, so that he was rescued from their hands scarcely breathing. And by reason of this scandal, the King was compelled to make peace between them, and to send the Archbishop of Canterbury and the Bishop of Ely abroad with his daughter, as far as St. Gilles, whence they are only lately returned. But the Archbishop of York has little health and less desire to attend more councils.

"This then is the sum of that which you seek to know, that it is better, for the welfare of the whole community that there should be a constituted body, how small soever, to hear and resolve all causes at some fixed spot, rather than that the King should depute sundry of his courtiers to determine such matters, to whom the science of the Curia and of the Exchequer may perchance be wholly unknown. And it is certain that sooner or later these changes will become necessary, for in the multitude of our judges there is little wisdom and much guile. But concerning these things, I would desire you to hear Ranulph de Glanvill and his brethren, who have greater experience in them than we at the Exchequer."

With such talk as this they reached the hall of the inner palace, where dinner was prepared, and where the King entertained at his own table the foreign legates, with many prelates and nobles of the kingdom, and other clerks and laymen of his court, marshalled in due order of precedence. The fare indeed was modest, as befitted the beginning of Lent; but Richard was surprised at the infinite variety of

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PLANTAGENET KING AT TABLE

METROPOLITAN BOROUGH OF BETHNAL GREEN PUBLIC LIBRARIES

fish that was served at each table: lordly salmon and great trout both sodden and baked with verjuice and spices, pike of three feet in length, roasted whole upon spits and stuffed with herbs and anchovies, eels in crust, potted lamperns, with tench, bream, and dace, and other common fish, all denizens of the river and, many of them long fattened in the fish stews that formed an important feature of the palace inclosure. Together with these was served almost every sort of sea fish that found its way to the riverside market. As soon as the banquet was ended, the King withdrew into his chamber for the purpose, it was understood, of conversation with the Spanish and Navarrese delegates respecting the political institutions of their respective countries, a subject of invariable attraction for this royal statesman.

Richard, learning that his friend the Treasurer was disposed for study, readily joined himself with a company of the younger courtiers present, who purposed, according to custom, to repair to the playing fields beyond the city walls, in order to initiate the Lenten tournaments always held there on Sunday afternoon—when the Court happened to be at London—between the chivalry not yet dignified by knighthood and the noble youths of the city. Accordingly, not long afterwards a gay cavalcade wended its way along the Strand towards the city, where, having fallen in with an equal number of the youths of the city mustered in the great square before the Church of St. Paul, the two squadrons proceeded towards the fields, followed by an immense concourse of spectators, both on foot and horseback.

Arrived at the appointed spot, where spacious lists had been prepared for the occasion, the tournament was opened by single courses between champions on both sides,—the citizens being, according to custom, the challengers. In this mimic

warfare, however, neither steed nor rider was protected by armour, the latter having only a shield and a headless lance.

Fig. 20.

The encounter, however, though bloodless, was an equal test of horsemanship and skill in the use of the lance, whilst the risk of severe falls and contusions was a sufficient proof of hardihood. As soon as the single contests were exhausted, and the champion who had displayed the greatest prowess had been proclaimed victor by the umpires, and rewarded with the prize of a gold chain, with which he was decorated by the fair hands of the daughter of one of the city magnates, a general engagement followed, the opposing bands vying in their display of skilful manœuvres, forming and wheeling and charging in several ranks, until at a given signal the combat was suspended, and the result was declared to be in favour of the courtiers, a verdict which excited some murmurs from the populace. Indeed Richard, who had remained an interested spectator of the tournament, having won his spurs many years before in the expedition against Toulouse, observed that an evident

rivalry existed between the courtiers and citizens, which was not confined, as he was reminded by a recent tragedy, to a harmless encounter like the present. For as the former, after a joyous carousal and ceremonious farewell of the civic potentates, were returning again towards Westminster, the young heir of Bigot, next to whom he rode, asked if he intended on the morrow to witness the trial of John the Elder and those citizens, his fellows, who stood accused of housebreaking and other crimes against the king's peace; of which, doubtless, he added, the murder of the brother of his father's old friend and companion in arms, the Earl Ferrers, when the Court first came to London, was one.

The sun had set behind the orchards and thickets of the Abbey before the party returned to Westminster; and immediately after supper Richard sought his couch, resolved upon being present at the expected trial of the recreant magnates of the city.

On the following morning, therefore, he rose early and waited upon his lord and patron, Richard de Luci, the justiciar, to whom the conduct of the trial belonged. Here he was informed by one of the deputy marshals of the Curia that the midnight robber, who had been previously wounded and secured, had been admitted as the king's prover, and that he had already denounced many of note amongst the younger citizens, some of whom had fled the city, and others were already taken, besides John the Elder, all of whom were lodged in the gaol of Newgate, and would be brought before the king's justices at Westminster that very morning. Upon hearing this news, Richard proceeded to the lodging of his kinsman, Ranulph de Glanvill, who, on learning his wishes, readily consented to accompany him.

Long before the hour appointed for the trial, a crowd of

citizens had assembled in front of the palace gates, while more privileged courtiers had taken their stand in the body of the Hall itself. At the hour appointed for the proceedings of the court to begin, the Justiciar, Richard de Luci, entered, attended by various serjeants and officers, and also by several clerks and scribes who were prepared to endite a report of the proceedings in the rolls of the court. The Justiciar took his seat on the broad bench at the summit of the Hall, and the clerks occupied benches at a table immediately in front. Next the king's "prover" was brought in, unarmed, for, having lost his right hand in the manner before related, it was not intended that he should substantiate his accusation by a personal combat. After him followed the sheriff of London, William, son of Isabel, to whose custody the prisoners had been committed, and three or four of these wretches, half-naked and securely pinioned, under the escort of the sheriffs, serjeants, and the gaoler of the king's prison, were next brought up to the bar which divided the judges and clerks from the body of the court.

The proceedings which followed were short and simple in the extreme. The Justiciar rose and spoke a few words to the effect that the King was deeply moved to anger by the frequent contempts and crimes committed heretofore by divers malefactors of that city, which he was resolved to visit with condign punishment, as would presently be evident. At the conclusion of this significant preamble, the king's "prover" was pushed forward by the sheriff. Pale as death, with trembling limbs and faltering accents, he appealed John the Elder, and others his associates, for that they did by night within the king's peace, feloniously break into the lodging of a certain lord, namely the brother of the Earl of Ferrers, and him wounded, and dragged into the street, and killed with

blows; and also for that the same did, not long afterwards, feloniously break into the lodging of another lord, namely Robert de Estutevill, and this he offers to prove as the court shall direct, being a man maimed. And the defendants, thus appealed, answered, and traversed the entire charge, word for word. Thereupon twelve citizens, who had been impanelled by the sheriff in open court, as dwelling in the same wards with the accused, and sworn to declare the truth of the matter, came forward and stated that they held the said persons appealed in grave suspicion of guilt, who thereupon

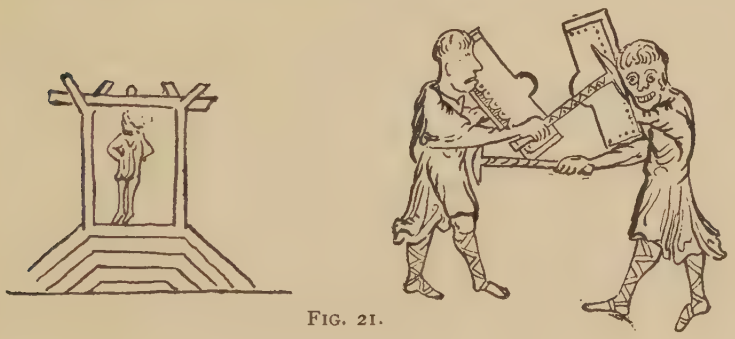


FIG. 21.

demanded the franchise of the city, namely, to clear themselves by the joint oath of their peers. But the Justiciar denied this claim, on the ground of the supreme jurisdiction of the king in his court, and decreed that they should clear themselves by the water, for such, he said, is the King's commandment, and that it be done suddenly.

The whole proceedings had not lasted ten minutes, and here were six men adjudged to a shameful death practically unheard, and with no appeal but to the justice of Heaven to work something like a miracle in their behalf, for such was

the real meaning of the ordeal of water—a yet more desperate resource than the trial of the heated iron, though the accused had not even been permitted to choose between these implements of torture.

Thus thought Richard de Anesti as he found himself hurried along in the eager throng of sightseers which pressed towards the great doorway through which the officials and prisoners had already passed on their way to the place of torment.

It is related that in the old days of simple piety and austere faith before the Conquest, the ordeal was always performed as a solemn religious mystery in the interior of a church, and the Divine interposition on behalf of the innocent was invoked by prayer and fasting; but now the test had degenerated into a meaningless form of law—a straw carelessly dropped within reach of a sinking man. Therefore, without proceeding as far as the Church of St. Peter, the procession halted on the verge of the abbey precincts, where, in an excavation made for the purpose, a large copper filled with water was already steaming over a roaring furnace of pine logs. Here the prisoners were halted, and the sheriffs' serjeants bandaged each probationer's hand and arm with thick folds of linen, to the upper and lower joints of which the sheriff affixed his seal upon a thin disc of molten lead. Then the accused were called upon in turn to attempt the ordeal, which consisted in plunging the bandaged arm into the now boiling cauldron, so as to snatch away from the bottom a large white stone. This John the Elder successfully accomplished, but two out of his five associates were not so successful; for one of them being overcome by the heat of the furnace, or blinded by the smoke and flame, was unable to lay hold of the stone, and still groping for it with

his arm, fainted with the pain, and would have been either boiled or roasted alive if the sheriff had not plucked him forth. This horrible sight so disconcerted the last of the accused, that, having advanced to the edge of the furnace, his courage failed him, and he piteously refused to make the required attempt. Thereupon he was adjudged guilty, and sentenced by the Justiciar to be hanged with the other prisoners who had failed to clear themselves in the manner required by custom. The four remaining prisoners who had braved the terrors of the ordeal were now respited in order that the judgment of God might be apparent from the inspection of their arms at the lapse of three days ; for then he upon whose flesh appeared no mark of scalding was held to be unscathed by the water, and was discharged or banished, according to his character ; but otherwise he was punished with the extreme rigour of the law. These then were now removed under a guard to prison, but the two already convicted, having been hurriedly tied by their feet to the tails of two horses, were dragged in that manner by the sheriffs and a mounted party towards the place of execution, followed by a large part of the spectators both on horseback and on foot. Richard had no desire to be present at the final act of justice, but returned slowly towards the palace, still musing upon the problem which had been suggested by the recent scene, and which was nothing less than the possibility of the administration of justice in a spirit of equity and humanity.

He had not proceeded far before he was overtaken by Ranulph de Glanvill and his brother William, and together they returned to the White Hall, where they found the Treasurer and a few other clerks and courtiers awaiting the King's return from his daily hunting expedition, and here, after some conversation upon the subject of the late proceed-

ings, Richard, addressing himself to the Treasurer, mentioned the objections which had occurred to him as a layman in the judgments of criminal presentments, inquiring whether this process was common to other kingdoms, and for what reason the great perfection displayed in the judgments of the Curia and Exchequer in other pleas had not been extended also to these; and, lastly, whether the evil were such a one as might be remedied. To which the Treasurer replied as follows:

"It is true that neither the providence of the king and his justices, nor the vigilance of the sheriffs and his other ministers, can wholly prevent those evils of which you have complained. But whether the laws themselves and the assizes of the kingdom are to blame therein, I will not willingly decide, but will refer you on this point to our most learned justice, your kinsman here."

Ranulph de Glanvill, who was thus appealed to, appeared to accept the Treasurer's challenge, for he immediately addressed himself to Richard in the following words:

"I admit," he began, "in part the truth of what you have spoken. But consider now that there is no similitude between the Common Pleas of the King's Court or at the Exchequer and the presentments of which you make mention, which notoriously are practised in the provincial courts, according to the ancient laws of the English, among which is this same trial by the ordeal, whereas the Curia and Exchequer are in their origin wholly Norman. But it is to be considered in respect of the ordeal, that if the accused be nobles or freemen, or burgesses, they shall have the appeal of battle, or the judgment of their peers, or the custom of their city; though truly our King is no respecter of persons, as you have just now seen, and thinketh that for men convicted by the oath of their neighbours, the ordeal is sufficient. So then this judg-

ment is clearly to be laid to the charge of the English laws, and I myself who have read these laws throughout, believe that they are requisite to the state of this kingdom, and that they will continue with little change into after times. For the nature thereof is this: To preserve the peace of God, together with the king's peace, unto all men, wherein it is enjoined that the whole body of people shall be assisting, and therefore they are the best judges of their fellow's guilt or innocency, to which end also they solemnly invoke the judgment of God to declare the truth before the guilty are punished."

Richard could not help admitting the justice of these reflections, and because, he added, he himself had spent nearly six years in the prosecution of a single suit, it seemed at least a merit that justice should be expeditious even at the expense of outward ceremonies.

Then several courtiers who were present having marvelled greatly at the exceeding length of his suit, at their request, and with the permission of the Treasurer and the other great men there, Richard spoke as follows.

CHAPTER VII.

WESTMINSTER.—THE KING'S COURT.

"IT is now thirty years ago," Richard began, "that William de Sackville, my uncle, died, leaving to me and to one other a disputed inheritance. And the cause hereof was this: that the same William, long before, was contracted in the bond of matrimony with Albreda, daughter of Geoffrey de Tregoz,

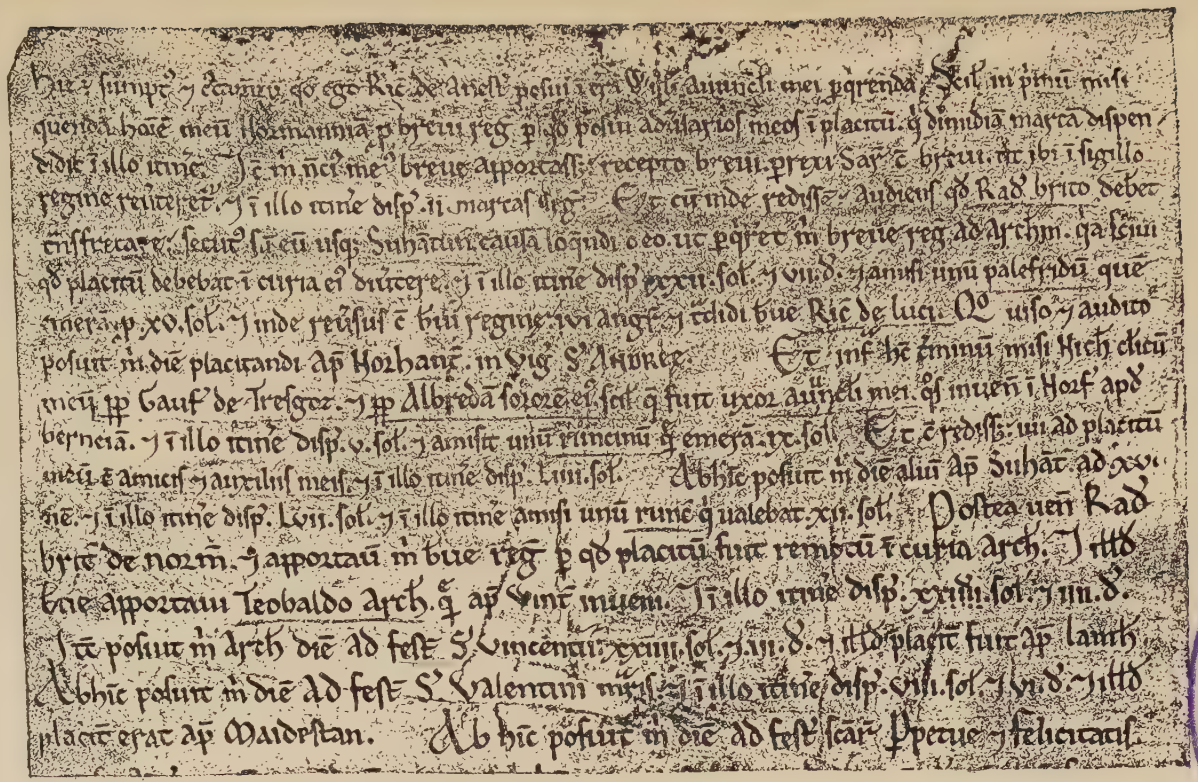
FIG. 22.

but notwithstanding this solemn vow, he soon afterwards married Adeliza, daughter of Aubrey de Vere, contrary to the laws of Holy Church. And thereupon Albreda, whom he had thus wronged, brought her suit in the ecclesiastical courts, and because she could not have justice done her there, she appealed thence to the Bishop of Winchester, being at

that time the legate of our lord the Pope, by whom the truth of the matter was certified to the Court of Rome. And afterwards, by virtue of a certain rescript of our lord the Pope, sentence of nullity was pronounced in a synod held at London in the year of Our Lord 1143, and accordingly the said William returned to Albreda, and lived with her till his dying day. But although he thus submitted himself to the decree of Holy Church, and put away her with whom he had sinned, yet he continued to bear a great affection towards her, and especially to the daughter whom she had borne to him, by name Mabel. And many years after, being infirm with age and sickness, the said Mabel and her husband came to him and abode with him till his death, and afterwards entered upon all his manors and lands, on the pretext that the said Mabel took the same as his daughter and heiress. Moreover, they feigned that the said William, before his death, had repented of the evil that he had wrought towards Adeliza, having confessed the whole truth in the presence of the Abbot of Colchester and other religious persons, as follows. That he had by no means entered into that contract with Albreda, as had been supposed, but had received a release thereof from her father to himself and his father, by agreement on both sides, after which he married Adeliza openly in the face of the Church, who was driven from his house against his will by the subtle devices of Albreda, and of those who were in hope to inherit in default of his issue by her such as afterwards came to pass. Alleging further that the legate and those who were joined with him in pronouncing that sentence of nullity had been influenced therein by gifts.

"And because Mabel and her husband were in possession of my rightful inheritance, and would not even make a concord with me about the same, I sent a certain man

of my own into Normandy for the King's writ, whereby I impleaded my adversaries. And when my messenger brought me the writ, I proceeded to Sarum, in order that it might be returned under the Queen's seal. And when I came back I heard that Ralph Brito was about to cross the water, so I followed him to Southampton to speak with him, in order that he might purchase for me the King's writ addressed to the Archbishop, because I knew that the plea would be removed into the Archbishop's court. And having returned from Southampton with the Queen's writ, I went to Ongar, and delivered the writ to Richard de Luci, who, having seen the same, gave me a day for pleading at Northampton on the eve of St. Andrew ; and before that I sent Nicholas my clerk for Geoffrey de Tregoz, and for Albreda his sister, to wit she who had been my uncle's wife, whom he found at Berney, in Norfolk. And when the clerk returned, I went to Northampton to open my pleadings with my friends and helpers, and hence Richard de Luci gave me another day at Southampton, on the fifteenth day. Afterwards Ralph Brito came from Normandy, and brought me the King's writ, whereby the plea was removed into the Archbishop's court, and I carried the writ to Archbishop Theobald, whom I found at Winchester ; and then he gave me a day on the feast of St. Vincent, and that plea was held at Lambeth ; and thence he gave me a day on the feast of St. Valentine the Martyr, and that plea was held at Maidstone. From thence he gave me a day on the feast of St. Perpetua and St. Felicity ; and meanwhile I went to the Bishop of Winchester, to talk with him, so that he might certify the divorce which had been before him in the synod at London. And having received the bishop's certificate, I appeared on the day assigned to me prepared for pleading, and that plea was held at Lambeth.



RICHARD DE ANESTI'S ACCOUNT OF HIS LAW-SUIT.

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From thence he gave me a day on the Monday next after the Lætare Jerusalem. And meanwhile I went for Master Ambrose, who at that time was with the Abbot of St. Alban's, in Norfolk; and Sampson my chaplain I sent to Buckingham for Master Peter de Melide.

"Having thus secured the clerks above-named, I kept my day with my helpers at London. Thence the Archbishop gave me a day on Quasimodo Geniti Sunday; and meantime I sent John my brother beyond sea to the King's Court, because I was informed that my adversaries had purchased the King's writ not to plead until the King should return from beyond sea; and therefore I sent my brother for another writ, that my plea should not be stayed by reason of this writ of my adversaries. And in the meantime I went myself to Chichester, to talk with Bishop Hilary, so that he might testify to the divorce which had been pronounced in his presence by my lord of Winchester, in the synod at London; and I received his testimony, namely, the letters which he despatched to the Archbishop testifying the divorce.

"At London I kept my day with my clerks and witnesses and friends and helpers, and I remained there during four days, pleading every day. Thence he gave me a day on Rogation day, and when I kept it at Canterbury, my adversaries said that they would not plead on account of the summons of the King's army against Toulouse. So I followed the King, and I found him at Auvilar, in Gascony. And in this journey I waited thirteen weeks before I was able to have the King's writ to proceed with my pleadings. As soon as I had purchased the King's writ, I returned, and having found the Archbishop at Mortlake, I delivered the King's writ to him, and he gave me a day on the feast of St. Crispin and St. Crispianus, on which day I came to Canterbury; and from

thence he gave me a day on the octaves of St. Martin, on which day I came to Canterbury. From thence my lord of Canterbury gave me a day on the feast of St. Lucia the Virgin; and meanwhile I sent Master Sampson my chaplain to Lincoln for Master Peter. But when my day came I was unable to plead on account of my illness; so I sent my essoigners, who had me excused at Canterbury. And thence a day was given me on the feast of St. Fabian and St. Sebastian, on which day I came to London, where my lord of Canterbury then was; and from thence he gave me a day on the feast of St. Scolastica the Virgin, and I kept it at Canterbury; and thence on Lætare Jerusalem, and I kept it at London; and thence on Misericordia Domini Sunday. And in the meantime I sent Robert de Furneis and Richard de Marci for Godfrey de Marci, and I myself went to the Bishop of Winchester, that I might obtain a more perfect certification of the divorce pronounced by him. And I found the bishop at Fareham, by Portsmouth, and from thence I brought back with me Master Jordan Fantasma, here, and Nicholas de Chandos, that they might be able to testify by word of mouth what the bishop had also testified by his writ. And I kept my day at London, prepared to plead, and thence the Archbishop gave me a day on the Close of Pentecost. And meantime I went myself to the Bishop of Lincoln for Master Peter, who then was with him at Stafford, and I sent Sampson my chaplain for Master Steven de Binham, whom he found at Norwich. And thence I kept my day at Canterbury, prepared to plead with my clerks, witnesses, friends, and helpers; and there we pleaded for two days. From thence he gave me a day on the octaves of St. Peter and St. Paul, and I kept it at Wingham; and thence on the feast of St. Sixtus, and I kept it at Lambeth; and thence on the

Decollation of St. John the Baptist, and I kept it at Canterbury; and thence on the feast of St. Luke the Evangelist. In the meanwhile I crossed the water that I might crave license from our lord the King to appeal to Rome; and having received the license, I appealed to Rome till Lætare Jerusalem. After this I sued for the Archbishop's writ of appeal; but he refused to give it me forthwith, but he gave me a day to receive it at Canterbury, on which day I came and received my writ, but without seal, so that I might show it to my advocates and obtain their opinion whether it was according to law. And afterwards I sent his writ, by Sampson my chaplain, to Lincoln, to show it to Master Peter. And afterwards I sent it to Master Ambrose, whom the messenger found at Binham. And when the writ was corrected by my advocates, I brought it again to Canterbury, that it might be sealed; but after seeing it, they refused to seal it as it was, but they gave me another also without seal. Thence, after I had received this writ, I went to show it to the Bishop of Chichester, and when I had heard his advice I returned. And then I sent the writ by Sampson my chaplain to Master Peter. I then sent the same writ again to Master Ambrose at St. Alban's; and when I had received their advice, and the writ being corrected, I went to the Archbishop at Wingham, and there my writ was sealed. And when I came back I sent John my brother to Winchester, in order that he might purchase the bishop's writ, certifying the divorce to the Holy Father, and I myself went to the Bishop of Chichester, whom I found at Salisbury, in order that he might certify the divorce by his writ addressed to the Holy Father in the same manner as he had done to the Archbishop. And a second time and a third time did I send my brother to Winchester before I could have an available writ.

Thereafter I got my clerks ready, and sent them to Rome, to wit, Sampson my chaplain, and Master Peter de Littlebury, and one man to attend them. And when they came back I received from them the writ of our lord the Pope, and brought it to the Bishop of Chichester and the Abbot of Westminster, to whom the same was addressed, in order that my plea might be brought into their court. After they had seen the apostolical precept, they fixed a day for me to plead at Westminster in eight days of the feast of St. Michael. And I kept my day, with my advocates and witnesses and friends and helpers, and there we tarried three days before we pleaded, on account of the King's commands about which the abbot and the bishop were employed. And thence they gave me a day in eight days of St. Martin. In the meantime I sent John my brother for Godfrey de Marci, in order that he might attend as my witness, and he could not come, because he was ill, but he sent his son in his place. On the appointed day I came to London, prepared and ready to plead, because I thought that I should then obtain my judgment, and there we tarried five days, and then my adversaries appealed to the presence of the Holy Father himself till the feast of St. Luke the Evangelist. And I requested the instrument of appeal, and they gave me a day at Oxford on the feast of St. Andrew. And I kept my day, and tarried there for nine days before I could obtain my instrument; and having received it, but without seal, I carried it to Master Peter at Lincoln, in order that he might correct it. The writ being corrected, I carried the same to the Bishop of Chichester at Winchester, on the octaves of the Epiphany, in order that it might be sealed there. But the bishop would not seal it, because the Abbot of Westminster was not there; but afterwards it was sealed at Westminster on Lætare Jerusalem. Afterwards I went to

the Archbishop of York for his writ deprecatory, addressed to the Holy Father, and to the Bishop of Durham for his writ to the Holy Father and the cardinals; and I found them both at York. And I returned to the Bishop of Lincoln for his writ to the same, and afterwards to the Bishop of Winchester for his writ; and I found him at Glastonbury. And when the time of appealing drew nigh, having prepared my clerks, I sent them to the Court of Rome, where they tarried sixty-

Fig. 23.

two days before they could have my sentence. And now, if you would know how they fared on that journey, Master Jordan here will tell you, who was there himself."

Hereupon the courtiers having entreated Master Jordan to relate what befell him at the Court of Rome, he complied with their request as follows :—

"As soon as I had received these commands from the knight my master here, together with the writs and allegations on our side, and twenty-five marks in silver for our expenses, I joined myself with Master Sampson, my lord's

chaplain, and one man to attend us, and having prepared ourselves with horses and an outfit suitable to the journey, we slept that night in London. And on the following day we rode to Rochester, and on the next to Canterbury, and thence half a day's journey to Dover, where we took ship to Witsand. And thence, on the seventh day, because the ways were foul, we came to Paris, where for three days I frequented the English school, being desirous of embracing many of the scholars who were formerly my own. And thence we proceeded, but slowly, because of the forests and from fear of robbers, to Chalons; and thence, ten days' journey amongst the hills, to the hospice of the Great Mount. And thence gladly we fared by the plains to Pavia; and so by easy journeys to Cremona, and Parma, and Biterba, and on the fifth day we arrived at Rome. I will not speak now of the greatness of that holy city, which I then beheld for the first time, but will proceed to relate what befell us there, according to your wish.

FIG. 24.

"At the first I laboured for three days in the Curia, to obtain letters confirmatory; and after I had advanced many reasons on this behalf, our lord the Pope spoke to me benignly,

promising that the same should be granted. And thereupon I made a gift to him of a silver cup, of the value of six marks. But when I daily prayed for the delivery of these letters, our lord the Pope was unwilling, because he would first hear our adversaries, who had been detained by the way. And when I still further importuned him, he answered sharply, 'Ye have had your answer,' to which I replied quickly, 'Yea, and a masterful one.' Then he in great anger inquired, 'Is it not also a just one?' Whereupon, casting down my eyes, I replied again, 'Lord, I know not.' But he forthwith commanded me to keep silence and to withdraw.

"After this I went to Piacenza, and afterwards to Pavia. And in the meantime our adversaries arrived in Rome, having been taken and plundered at Chalons. Therefore I too returned to the city after visiting Bologna, where I engaged certain of the most learned doctors in the civil law in our behalf. And after I had returned the Court ordered that we should be prepared to plead on the third day from then; on which day, when we were all together before the Court, our lord the Pope said thus: 'Ye shall only speak to the matter and not of things immaterial.' And thereupon we made our allegations on both sides, and our answers thereto on both sides. And once our lord the Pope cut short our adversaries' allegation, saying fiercely, 'We want no long history!' so that their advocate, dismayed, lost the sense of his argument. And again, when they complained that I had engaged all the best advocates for our side, he laughed loudly, saying, 'There will never be found a lack of advocates in the Roman Court. And when I spoke in my turn, knowing the fastidiousness of our lord the Pope, I spoke briefly and to the point; but at the end I wept somewhat, when I related the evils that we had endured. Whereupon, turning towards the cardinals, he

laughed, and whispered something to them, whereat they laughed also. And because our adversaries especially denied the authenticity of certain transcripts of briefs formerly received by the legate in England, pronouncing the opinion of the Roman Court for the divorce to be decreed, our lord the Pope commanded that they should be given to him ; and when he had seen them, he gave them into the hands of the cardinals, who also examined them, and finally they commanded the clerks to search for the counter briefs, and afterwards compared them with our transcripts, declaring them to be authentic. And when we had concluded our arguments, and were all seated, our lord the Pope asked if we had any further allegations, and I then demanded judgment in our cause. But he commanded us to depart and write out our allegations, and deliver them to him the same day. And after I had done this, with the help of my advocates, there remained nothing to be considered of save the sentence itself, to procure which, in our favour, was plainly beyond our skill, unless also it was due to the justness of our cause. Nevertheless, during the following week we implored the Divine aid with prayer and fasting and continual almsgiving. And Master Sampson greatly assisted us at this time by his remarkable piety. For he not only remained fasting for five days, during all which time he perambulated the holy places and shrines of the city, commending our cause to the pilgrims and other devout persons there, giving alms also to all needy persons, whether they had craved them or no, so that the fame of his good works was noised abroad throughout the city ; but further, when we attended the Court again to receive sentence, kneeling in the door, he embraced the feet of each cardinal as he entered, as though he would wash them with his tears, so that all present, and even our adversaries, pitied his miserable condition.

"At length, about the ninth hour, our lord the Pope came forth from the inner council chamber with the cardinals, and because I saw that the ushers, whom I had loaded with gifts, smiled graciously upon me, I took heart. And when the cardinals were all seated, and we stood forth on one side, and our adversaries on the other, as had been our custom, our lord the Pope commanded, 'Stand ye together in the midst; for now there is no longer any strife betwixt you, since we have brought you into peace with one another.' And when we had come together, our lord the Pope began to recall the nature of our suit, and how, after full examination of our allegations and other writings, sentence had been prepared in the accustomed manner. Yet I then took no note of his speech, because I was not able to compose my senses, standing like one in a dream, until the principal prothonotary of the Court arose, and began the reading of the sentence. But as soon as I heard the words, 'to our beloved son, Richard de Anesti,' then I was suddenly aware that we had gained our cause, for the sentence of the Court is ever wont to be addressed to the side that has prevailed. And when the sentence was read, we fell at the feet of our lord the Pope, and when we rose again, Master Sampson lay still at his feet like one dead, having fainted away through joy after his fasting. So we raised him up tenderly, and bore him away, and our lord the Pope ordered that we should receive the instrument to see, if it needed any correction; and having received his blessing, we departed joyfully.

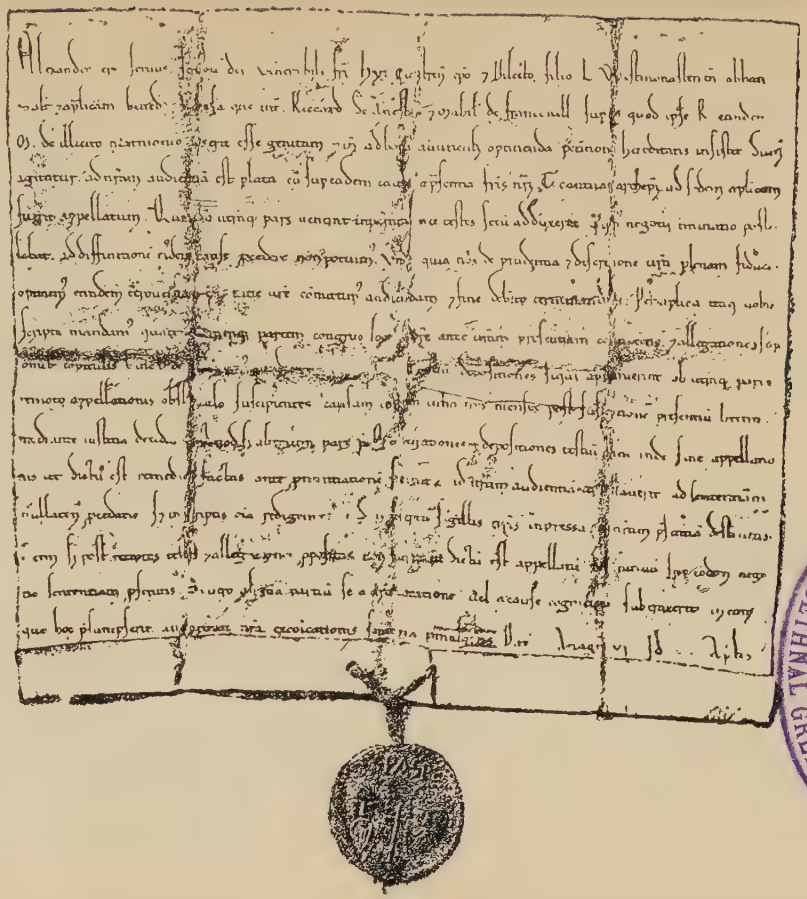
FIG. 25.

"After this we received the command of our lord the Pope

that we should not leave the city. Moreover, we owed forty shillings to the merchants of Rome, who demanded to hold our instrument and writings in pawn for the same. And being all of us suffering through illness, we cast lots which should return alone to England for succour and to bear our tidings. And the lot fell upon Master Sampson, who departed from the city secretly. After whose departure I daily implored the license and benediction of our lord the Pope, that I might depart also; but I could not obtain it because I had not yet visited him and the cardinals to bestow my gifts upon them, as the custom was. But because I was unable to do this for lack of means, and since my sickness increased daily, I borrowed forty shillings from a certain clerk of the Bishop of Lincoln, who was then attending the Court in the matter of the appeal of the Abbot and Convent of St. Alban's against the jurisdiction of the said bishop. And having redeemed our instruments from the merchants, I changed my dress, and craving the license of the holy Apostles Peter and Paul, and receiving the apostolical benediction, in the midst of the crowd, I departed secretly from the city. And each day till I had reached the hospice of the mount I was in fear lest I should be brought back; but at length, with the Divine protection, I reached England in safety."

At the conclusion of Master Jordan's narrative, which had been listened to with deep attention by every one present, Richard de Anesti again resumed his story at the point where it had been left off.

"When my clerks had returned from Rome, as you have just now heard, they delivered to me the sentence which confirmed the former one of adultery, whereof one instrument was directed to the Archbishop, another to Richard de Luci,



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BULL OF ALEXANDER III.

and the third to me, and with these I went to my lord Richard de Luci, whom I found at Rumsey; and there we awaited the return of the King, who was about to come back from Normandy. Thence I followed the Court for three weeks before I could make fine with the King; and because the King was vexed on account of his Holiness not having directed any brief to him, I sent a messenger on the following day to the Holy Father for a writ directed to the King (which my messenger afterwards brought to me on the Close of Easter, at Windsor). After I had fined with the King, my lord Richard de Luci, by the King's precept, gave me a day for pleading at London, at Mid-Lent, and there was then a Council; and I came there with my friends and my helpers, and because he could not attend to this plea because of the King's business, I tarried there four days, and from thence he gave me a day on the Close of Easter, and then the King, and my lord Richard, were at Windsor; and at that day I came with my friends and helpers, as many as I could have, and in the meantime I sent my brother for Ranulph de Glanvill, and because my lord Richard could not attend to this plea because of the great plea of Henry de Essex, the judgment was postponed from day to day till the King should come to Reading, and at Reading in like manner it was postponed from day to day till he should come to Wallingford. Afterwards, because my lord Richard was going with the King in his war against Wales, he removed my plea into the Court of the Earl of Leicester at London; and there I came. But because I could not get on at all with my plea, I sent to my lord Richard in Wales, to the end that he might order that my plea should not be delayed; whereupon, by his writ, he ordered Ogier, the King's server, and Ralph Brito to do

justice to me without delay. So they gave me a day at London. There I kept my day with my friends and helpers, and from thence my adversaries were summoned by the King's writ, and by my lord Richard's writ, that they should come before the King. And we came before the King at Woodstock, and there we remained for eight days, and at last, thanks to our lord the King, and by the judgment of his Court, my uncle's lands were adjudged to me, being the sixth year since my suit began. Moreover, I had spent in these causes the whole of my substance, namely: for the expenses of my journeys and my living, and that of my messengers and others, £126 14*s.*, besides eight palfreys and pack-horses that were killed in those journeys, £6 6*s.* 8*d.*; and in gifts to my advocates and helpers in the Archbishop's Court, £21; and in the King's Court I spent in gifts, both of money and horses, £13; and to Ralph, the King's physician, I gave £21; and to the King a hundred marks of silver, and to the Queen a mark of gold for my fine. And besides the money I had of my own, I borrowed, of certain Jews at several times, the greater part of that which I spent; and I paid £32 1*s.* 9*d.* for the usance thereof; and, in short, after I had enjoyed my uncle's lands and goods for upwards of three years, I still owed fifteen marks of my fine to the King, and to Hakelot the Jew £27, the interest whereof had mounted up to £20 9*s.* Therefore, my lords, it seemeth to me that it is better for a man to have injustice done to him without much delay, than that he should lose, perchance, more than he has gained by due process of law."

At the conclusion of Richard's narrative of his famous law-suit, there was a renewal of the conversation upon judicial matters until the King's return from hunting caused a general dispersal of the courtiers.

In the course of the next few days the Court left London once more, but Richard chose to remain, partly because of the attraction offered by his pleasant intercourse with old friends amongst the clerks of Westminster and the canons of St. Paul's, and partly, also, because he was as yet unable to make any fine with the King; so that he was resolved to await the session of the Easter Exchequer before taking more active steps in his own business.

CHAPTER VIII.

WESTMINSTER.—AT THE RECEIPT.

THE windows of the tower, on the second floor of which the Treasurer's chamber was situated commanded a full view of the north and east sides of the new palace, so that Richard de Anesti, sitting at one of them on the morning of the Close of Easter, was able to watch the arrival of the barons and clerks at the Exchequer, and within a brief space after that of the sheriffs and other debtors of the Crown.

The former, for the most part, passed immediately beneath the tower, having made use of the thoroughfare of the King's Chapel, which offered the nearest approach to the Exchequer from the King's House. The sheriffs, with their attendants, witnesses, and other interested parties, mostly came by boat; the rest on horseback or on foot through the north gate of the palace. As soon as the greater number of these had arrived, the Treasurer and his guest crossed the garden by a well-worn path, and in a few minutes found themselves at the entrance of the Exchequer House.

This was a large two-storeyed building facing on to the courtyard, and containing four apartments, of which two on the ground-floor were low and vaulted, having only one external entrance by a massive doorway, while the windows were narrow and strongly barred. The approach to the upper floor was by an external stair from the courtyard, which led

to a single doorway for both chambers. Richard already knew the interior of this house only too well, and therefore he was aware that the lower storey contained the department of the Receipt and Treasury; the upper one, the Barons' Court and Council rooms. Before the gate of the Receipt sat an usher, whose duty it was to regulate the admission of the suitors or messengers laden with money-bags who passed in and out.

Outside the Exchequer House was collected a large group of persons whose uncouth and soiled attire bespoke provincials and travellers. These, indeed, were the bailiffs and other debtors of the Crown, waiting to present themselves to the Justiciary according to the terms of their writs of summons; and they were now apparently beguiling the tedium of their delayed audience by attention to some anecdote which one of their number was reciting with animated gestures, to the evident appreciation of his listeners. On catching sight of the Treasurer, the speaker paused, and the whole assembly saluted him with much show of respect as, bowing gravely in response, he slowly ascended a broad stone staircase, at the head of which, opening on to a lobby, was the doorway of another spacious chamber before which was seated another usher, younger and more richly apparelled than the other, who, with a deep obeisance, stood on one side for them to pass by. The chamber which they now entered was almost bare of furniture, but the walls were hung with rough unfulled cloths, and the mullioned windows were pleasantly screened with linen blinds, while the floor was thickly carpeted with dried rushes. At the farther side a doorway, draped by a thick curtain, seemed to lead into an inner chamber. In the exact centre of this court-room stood a table, so low as to resemble a dais-

around which benches were placed on the four sides. This table at once attracted attention from its peculiar design. It was about ten feet long and five feet wide, bordered on every side by a high ledge. On its surface a black cloth was spread, seemingly ruled into small squares by white chalk lines, presenting at some distance the appearance of a gigantic chess table. At the farther end of this table three or four officials were seated, whom Richard de Anesti at once recognised as the Constable of the King's Court, with the Marshal and Chamberlains of the Exchequer, and at the middle of one side a short, active-looking clerk was standing, sorting a heap of gold and silver coins or counters. Several serjeants of the Exchequer stood in the background, attentively waiting their masters' orders.

FIG. 26.

The solemn stillness which pervaded the chamber was broken only by the chinking of the pieces of money and by the rustling of some clerk's pen upon smooth parchment; but as the Treasurer advanced towards the head of the board, his colleagues rose and saluted him with mingled courtesy and deference. Richard had found a seat on the sheriffs' bench near the door, and was prepared to give attention to the proceedings of the session, when the Marshal informed the Treasurer, in a low voice, that the Justiciary could not sit that day, and therefore he supposed that the sheriffs might be admitted to an audience and a further day be given them. This being done accordingly, the whole body joyfully departed in pursuit of the varied pleasures of the great city.

"Behold, there is nothing to be done here until the morrow," said the Treasurer, turning to his companion;

"and therefore, if you will, the business of the Receipt may first be inspected, to prepare you for the graver matters that attend us."

Richard having signified his willingness, they descended to the Receipt, where they found the work of the Easter session being busily carried on by the resident officials, in a large and somewhat desolate chamber, furnished only with a few tables, desks, benches, and low stools. Near the door were stationed the three principal officials of the Receipt, namely, the two Deputy Chamberlains and the Treasurer's clerk. These received each accountant as he entered, inquiring his name and business, which the clerk carefully noted in a strip of parchment. Then one of the Deputy Chamberlains, taking from him the money which he intended to pay in to his account, carried it to a large table at the other end of the room, at which four clerks, the Tellers of the Receipt, were seated, and emptied it out before them. The heap of silver pennies was then carefully mixed by one of these clerks, and the whole weighed by the Chamberlain in the Exchequer scale by single pounds, each of which was counted out by a separate Teller with inconceivable rapidity, and if the number of pennies was found correct (6 being allowed for light weight), the 240 pence so counted were poured into a wooden canister. When this, which held exactly five pounds, was filled, it was again weighed by the Chamberlain with nineteen others, in a chest which held a hundred pounds. In case the payment was made by a sheriff on account of the blanch farm of his county, the Tellers first counted out from the original heap 44 shillings, which were placed by the Chamberlain in a small casket, on which, after the sheriff had himself sealed it, the Treasurer's clerk wrote in

chalk the name of the county, and after it the word "combustion." The casket was then carefully put away for the trial of the pyx before the barons. The same official also sealed up every chest as soon as it was filled, and entered in a great roll, which the Treasurer informed Richard was the Receipt Roll of the Exchequer, the name of each accountant, with the date, amount, and nature of his payment. At the same time the second Chamberlain was engaged in cutting a tally for the amount just paid in and verified, for which purpose he selected, from a heap on the floor, a square shaft of wood about nine inches long, and grasping it firmly at one end with his left hand, pro-

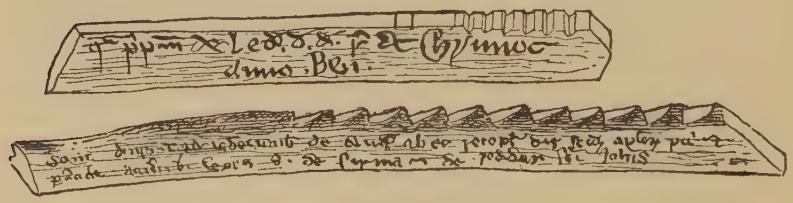

Fig. 27.

ceeded to cut with a sharp knife certain notches on the uppermost surface, beginning at the end nearest his own body. Here he first cut a large notch, nearly as broad as his thumb, which stood for twenty pounds, and below that a deep slanting gash, without removing any of the wood, this being only a half-finished notch, by which half the former amount was signified. After this the tally was reversed, and three smaller notches were cut at the opposite extremity, each as wide as a barley-corn, succeeded by six nicks, each only a line in breadth, and eight single dints upon the smooth surface below these. When finished this tally was compared by the chamberlain with the entry

made by the clerk in the Receipt Roll in favour of the accountant for a sum of £33 6*s.* 8*d.*, and the amount being found correct, the same clerk wrote an inscription on each side of the shaft corresponding with the entry on the Receipt Roll. Then the chamberlain, taking up a mallet and chisel, cut half-way through the shaft of the tally at three inches from the base, and then split the stick down to this cross-cut with a single blow, thus dividing the tally into two unsymmetrical halves, of which the shorter one was handed to the accountant as his voucher for the profer; and the longer one, being that which had the undivided base or handle, was retained by the marshal. The accountant now withdrew, and was succeeded by another, with whom the whole process was repeated. The Treasurer here informed his friend that these transactions did not conclude the business upon which the debtors of the Crown were summoned. It was necessary for them to appear before the barons in the upper chamber on one of the following days, to render an account of the details of the profers made by them, and to witness the assay of the ferms, which were required to be blanched according to custom, when, if from the examination of the state of their accounts, as the same were entered in the Exactory Roll of the Exchequer, it appeared that a due proportion had been advanced, they were then formally discharged until the Michaelmas session, when the balance would be demanded of them. In fact, he added, there was no difference between the two sessions except that at Easter nothing was entered in writing in the great rolls of the Upper Exchequer, but only in those of the Receipt.

At this moment a diversion was made in the proceedings by the entrance of one who came to receive money instead of paying it in, being provided with a writ to that effect. This

the Treasurer's clerk took from him, and having carefully examined it, brought it to his master, who, after a glance at its contents, nodded his head in sign of approbation, whereupon the amount specified was counted down by one of the Deputy-Chamberlains, and entered by the clerk in a separate roll. This happened several times in the course of their visit,—one who had been thus paid returning with the complaint that he had received a penny short, whereupon he was reminded of the invariable rule of the Exchequer that no mistake could be rectified after the party had passed the door of the Receipt. These payments, the Treasurer said, were casual allowances on account of expenses in the King's service; but on the morrow and following days the Constable and his clerk would attend with the Marshal of the Exchequer, for the half-yearly payment of the servants and pensioners of the royal household.

Richard having observed at the farther side of the chamber an iron door, through which the serjeants of the Receipt carried the money-chests as soon as they were filled and sealed, inquired the nature of its use, and was informed by the Treasurer that it was the Treasury of the Receipt. This they presently entered, and found themselves in a bare, dark room, against the walls of which numbers of wooden boxes were piled, while several large iron chests, with massive clamps and double padlocks were placed near the windows on either side. These last, the Treasurer observed, contained treasures greater than gold or silver, being the repositories of the ancient records of the realm; and causing one of them to be opened by the serjeants, he showed Richard the Book of Domesday, compiled from the great survey made by the King's great grandfather, together with the earliest year rolls, first made during the ministry of his own uncle,

Bishop Roger, of Salisbury, and many other curious relics of the ancient practice of the Exchequer.

Retracing their steps into the Receipt, the Treasurer and his companion walked round that part of the chamber used as a scriptorium, and stood for a while watching the industrious labours of the clerks before concluding their visit. As they passed out of the door-way of the house, theTreasurer invited Richard to pass the afternoon with him in his own chamber, to which he readily agreed. Accordingly, after dinner, at which he was entertained by the Keeper of the King's Palace, he enjoyed the privilege of inspecting the contents of his friend's aumbries, well-stored with the rarest manuscripts, among which he did not fail to notice the famous chronicle of the acts of the present King, in the author's own hand, and the unfinished treatise concerning the practice of the Exchequer, with the *Liber Curialium*, and many more, the view of which incited Richard to make the following request,—

"Master, you have formerly promised, when I shall sit beside you at the Exchequer, to make known to me the state of the King's revenue as it is now rendered to him. But I would fain know in the first place whence this Exchequer and revenue are derived."

"Your question is a difficult one, brother," replied the Treasurer thoughtfully; "yet I will answer it to the best of my ability. Know, then, that in the primitive state of this kingdom before the Conquest, the kings—who then chiefly flourished less through their success in warfare than through their care for their subjects' welfare (whatever some have thought to the contrary)—each in turn enjoyed such assignment of arable and pasture and wood as might suffice to maintain their royal state. The rest of the cultivated land was possessed by their followers, each man after his degree, of whom, indeed,

some became poorer and others richer than the rest, according to each man's worth and industry. And such land as was not thus assigned, or which remained waste, was regarded at first as the land of the whole nation, but afterwards of the king, from which he might reward his men or endow the Church of Christ, with the advice of his bishops and other wise men, who were witnesses of those gifts, as may yet be seen by the charters here in the Exchequer. In the succeeding period, however, the whole of these common lands were no longer to be distinguished from the rest of the royal lands, so that grants were made by the king from both alike, even as is done in the present day. All these then, namely farms and fisheries and forests, were cultivated by the king's bailiffs, who answered for the same to the great officers of his household, but in provisions of every kind, and not in money. Thus it continued to be done after the Conquest, whereby the king was enabled to supply the daily necessities of his household or to make provision for warfare. Some farms were charged with the supply of wheat and drage for bread, others with that of malt for mead and ale, or of oats and barley for the stable. The grazing farms rendered carcases of beeves and sheep, and the woodlands yielded bacons and gammons. Each bushel of corn or carcase was assessed at a fixed price, so that he who was charged with £10 must provide either 200 oxen or 600 sheep or 200 measures of grain, each sufficient to make bread for 100 men or for 200 horses. Old men now living have told me how that on the eve of a feast, or of an expedition, the air would be filled with clouds of dust from the innumerable herds which approached the Court. The rivers were choked with barges, and the roads with wains or pack-horses. Great then was the distress of the poor husbandman, compelled not only to lose his oxen and sheep,

but to drive them many leagues to the Court or to some royal castle. Then came a time when a righteous king, grandfather of the King that now is, heard and pitied their complaints. Moreover, he was compelled by the necessities of his foreign wars, both to hold his courts oftentimes abroad, and also to pay an army of foreign mercenaries, so that he had little use for this provision of fresh victuals, and cast about how he might exchange the same. Therefore he sent his officers into every shire, who assessed the farms of the Crown in value of money instead of in kind, appointing also new money, and bidding his sheriffs to collect his revenue in good silver by weight according to each man's assessment. When this was done, the sheriffs and bailiffs brought their money, as it was called for, into the royal treasury, or into the coffers of the king's chamber in his Court, wherever it might be, being allowed for such provisions as there was still occasion for them to provide after the rate."

"But was there not before this," inquired Richard, "any supply of money for the king's service? Moreover, how should the cities which paid farms to the Crown discharge the same in provisions of this kind?"

"You anticipate my discourse of these things," replied the Treasurer; "for know that the farms of the Crown, in kind or in money, form but a portion of the king's revenue, whereof there are two other principal sources, of which I was about to speak next, namely, his prerogative of commerce, and that of justice. And, although it be probable that at the first the issues of each of these were received in kind, as we may yet see in the wine which is taken as a toll by the King's chamberlains, and in the hawks or palfreys which are acquitted at the Exchequer, yet from very early times both merchants and other suitors rendered their fines and

amerciaments equally in silver, which supplied the king's chief needs.

"Now first of the prerogative of the control of commerce, which as it seems to some arose first out of his ownership of the public lands. For of these, by reason of the grants aforesaid, little remained before the Conquest save forests and rivers, which afterwards were reserved by those kings for the sake of hunting, wherein they especially delighted, and also for provision of game and fish. So that I have seen in the reign of the present King letters directed to the sheriff of divers counties, for deer to be provided for meat to the king's army, besides great provision of bucks and wild-boars, and fish and fowl, against feast-days and ceremonies. In course of time many cities and towns were founded upon the king's demesne, both inland and on the coasts of the sea; for men have thought it better to commit themselves to the king than to seek the protection of any other lord. All these cities and towns, then, the king was lord of, with the highways and rivers along which they passed, and also of the creeks and harbours into which they brought their ships. And by reason of the king's defence of the forests and rivers for his own hunting and fowling, they were cleared of all dangers and impediments, whereby merchants were benefited in no small measure. And in order that the citizens might know how they should stand, the king ordained a farm to be paid by them for their franchise, and tolls for the passage of their goods at the ports and upon the rivers and by land. And thereupon they gladly made fine with the king at the Exchequer.

"And the second prerogative of the king, which is that of justice, arose in this way; being also closely joined with the former one, as you will perceive." With these words the

Treasurer rose from his seat, and crossing the chamber opened one of the iron-bound chests before noticed, and took from it a large vellum-bound book. "This," he said, resuming his seat and laying the book open upon his knees, "is the famous Domeboc, or register of Saxon laws, which by some is believed to have been made by Alfred, the King of the West-Saxons. This book is held in especial regard by Master Ranulf de Glanvill, who, indeed, compiled therefrom a certain treatise on the ancient laws and customs of this kingdom, as they were observed before the Conquest and afterwards confirmed by Norman kings. And now, if you will, I purpose to read to you such passages from those laws as seem to me to explain the origin of the king's peace." Herewith the Treasurer commenced to read aloud from this book several extracts from the laws referred to.

"Thus you may see," he resumed, after closing the book, "that all three branches of the revenue came to be paid at this time in money, which was received and accounted for at the Exchequer."

"And where," inquired Richard, "was this Exchequer first erected?"

"You ask a difficult question," replied the Treasurer. "But first, let me tell you that the Exchequer itself forms but a part of the King's Court which follows his person wheresoever he may repair, yet not as pleas of the Crown, which are most often held at some one of his palaces, but usually in some great city, as Winchester, or Oxford, or Northampton, and especially here at Westminster, whether the king be present or no. And formerly, all the king's treasure, whether in silver or in goods, was paid into the chamber of his palace to the hands of his chamberlains, who accounted for the same with his treasurer, and paid such sums as they were directed by

his writs. And afterwards the larger treasure which was collected, besides jewels and plate and vestments of all kinds, was laid up in the royal treasury at Winchester, and at other times at Westminster in the church there. And here, also, many rolls and other writings concerning the state of the kingdom were preserved; but nevertheless, all things that were needed for daily use, both money and rolls and tallies and seals, were then and still are deposited in the king's chamber, or in the Treasury of the Receipt. This chamber, then, of which I have made mention, was an ancient member of the palace, holding the middle place between the king's council and court in the great hall there, and the innermost lodging where he slept; for here the great thegns were wont to attend; namely, the constable, who had the charge of the king's beasts and birds, and likewise of their keepers, whether captains or serjeants or grooms or falconers or bearwards; the marshal who assisted the constable herein, and also kept the king's peace within the precincts; and the chamberlains themselves, who kept the king's wardrobe, with the treasurer as aforesaid. And afterwards there were certain clerks among the king's chaplains, or from among the learned canons of St. Paul's or of Waltham or elsewhere, who made all writings under the eye of the chancellor, who examined and sealed them. These clerks being found more skilful in business, and rather to be trusted than laymen, were usually employed upon the king's business both at home and abroad, being often sent by the king through the counties to execute justice, and especially to view the levying of fines and amerciaments, and for the assessment of taxes. And not long afterwards the Court and Exchequer were erected for the due administration of justice and of the king's revenue. Wherefore certain of these clerks were appointed by the king as his

justiciaries, with other barons and knights, who were also for the most part sheriffs of the counties and governors of the castles, and other clerks and serjeants ministered to them, or were sent everywhere as the king's agents, to buy and sell, and to conduct his wines or treasure, and the like.

"Then it was seen that these justices must be skilful to hear and determine pleas, and especially those at the Exchequer. Therefore, the ministry of the king's treasury was assigned to certain clerks who sat there at appointed terms, to examine the accounts of farms and fines; and these sessions were said to be "at the tallies," because of the quittances which were then first delivered to accountants, who were now in danger of being summoned for their debts to the king. Also, for every pound of silver paid into the treasury six pence more were exacted, and afterwards twelve, to trim the balance, and later none was received from most accountants except by weight, and again from others also by the assay. And by this time these sessions had come to be called the Exchequer, from the chequered board whereon the accounts were presented by counters, and also by a metaphor from the contest between the treasurer and the sheriff, which was thought by some barons who had fought in the Holy Land to resemble the chess-game of the Easterlings, just as the counting table resembled one of chess-boards of ebon-wood and ivory, inlaid, which Duke Robert brought home with him amongst the spoils of the Saracens' tents. However this may be, it was to this ministry or Exchequer that the renowned Bishop of Salisbury was called by King Henry, the first of that name, and to his care and skill it doth owe its present excellence. For he not only caused all the silver of the farms to be assayed, compelling the sheriff to make good what was lost by the fire, but he perfected the science of the

Accounts of the Exchequer, and caused them to be committed to writing in the Great Rolls and others which are still preserved; and, in short, turned all things to the profit of the kingdom. This is the origin of the king's revenue and of the Exchequer, as I received it in my youth from old men who had themselves seen the things which I have described to you."

After this the two friends conversed freely on many subjects, as was their custom, until the twilight deepened in the shadows of the surrounding buildings, and the watch-light might be seen at the Exchequer house. Then Richard took leave of the son of Nigel until the morning, and departed towards the city before the palace gates were closed.

CHAPTER IX.

WESTMINSTER.—AT THE EXCHEQUER.

On the appointed morning, before matins, Richard de Anesti waited on the Treasurer and accompanied him to

Fig. 28.

the Exchequer, where they found all things in readiness for the further business of the session. Richard de Luci, the justiciary, was now present, and placed our courtier on his

right hand, in the place usually reserved, as the Treasurer whispered to him, for the famous Bishop of Winchester, now absent on the King's affairs in Normandy. The Treasurer himself took his seat at the head of the bench which was placed on the right side of the table, where he might overlook the operations of the clerks who occupied the next two places. These were the scribe of the Great Roll, who sat next to the Treasurer, and who wrote from his dictation, and the scribe of the duplicate Chancellor's Roll, who copied from his brother of the pen, under the eye of the Chancellor's clerk, who sat fourth on this bench; whilst behind these, perched on a high seat, another scribe, instructed by the King's confidential clerk, Master Thomas Brown, an ex-official of the Sicilian Court, noted such matters as seemed chiefly to concern the King's interests. On the President's left the Marshal, Constable, and the two Chamberlains had their seats, and about half-way down the bench, on the left side of the table, the Calculator stood ready to display the state of the accounts in effigy, by means of counters. At the bottom of the table sat Master Brown himself, and at a respectful distance several of the foremost sheriffs were grouped, their servants standing behind them armed with tallies and vouchers to be produced in their master's credit. Several courtiers and officials of less note filled up the gaps in the benches, and completed a spectacle which was both curious and impressive.

Richard now learnt that the profers of the county of Hampshire and the two great cities of Winchester and Southampton were to be rendered first that day, of which fact indeed he was already aware, having heard proclamation made thereof to the crowd of interested debtors of the Crown which surrounded the door of the Exchequer.

By command of the President, the other sheriffs who were present in the chamber were now excluded by the usher; and the sheriff of Hampshire, Richard de Gundevill, a portly man with a merry eye, whom Richard at once recognised as the ribald story-teller whose acquaintance he had made in the king's chamber, was left sitting apart with his servants and several debtors of his county, for whom he was about to answer, facing the Treasurer. The latter now rose and inquired of the Sheriff in a mild voice if he was ready to render the view of his account.

"Ready I am," replied the Sheriff firmly,

Then the Treasurer's scribe, who had been busily writing in a stately hand, at the top of a parchment membrane, the name of the county and the sheriff's name below it, paused, and the Treasurer, refreshing his memory by a glance at the Exactory Roll, resumed,—

"You are charged first with £8 14*s.*, the residue of last year's farm; have you paid this sum into the Treasury?"

"I have," replied the Sheriff, producing a small wooden tally, which, being handed to the Marshal and compared by him with the official counterfoil, the Treasurer's scribe wrote against this sum, "Paid in the Treasury."

"You are charged next with £510 6*s.* 0*d.* for this year's farm," pursued the Treasurer, referring to the great Exactory Roll, in which all the farms of the counties were fairly entered. "Are you prepared to profer any part of this sum?"

"I am," replied the Sheriff, whereupon the scribe, without entering the amount cited by his master, merely wrote against the words "This year's farm," "In the Treasury," leaving a blank space for the subsequent entry of the cash payment.

"Do you demand allowance as before," inquired the

Treasurer, "for alms, and tithes, and usual disbursements made by you out of your farm."

"I do," answered the Sheriff, producing various tallies and vouchers, by which it appeared that he had paid in alms to the Knights of the Temple, one mark, besides which he demanded allowance for certain lands granted by the King to various barons, courtiers, officials, holy monks and nuns, royal artificers, and others, all of which were a dead loss to himself. He also put in vouchers for certain building work performed by him at the royal castle of Winchester, as well as for the entertainment of several members of the recent Spanish legation, and for numerous provisions for the King's household, in support of which he informed the President that he was ready to produce the evidence of sworn overseers appointed by the Crown if it were deemed necessary. These accounts having been carefully examined, were put on one side by the Marshal, the Treasurer making a note of the total amount expended.

The allowances claimed for payments already made from his farm being now admitted, the Sheriff was further charged by the Treasurer with the remaining items of revenue for which he was responsible to the Crown.

In the first place he made a profer of purprestures and escheats during the past half-year. Amongst which were included the forest rents and dues. The settlement of the numerous items of this portion of the sheriff's accounts being evidently a work of some time, Richard de Anesti, anxious to understand the nature of this branch of the revenue, and seeing his friend the Treasurer fully occupied in checking the details of the payments already made, turned to the Justiciary and craved the favour of an explanation of the several terms. This request Richard de Luci readily acceded to.

"To begin with the first," he said: "a Purpresture is a trespass committed against the sovereign interests or dignity of the King, being also to the public inconvenience. Thus, if a certain lord, who enjoys no franchise by royal charter, has excluded the public from a navigable river, whether by claim of a private fishery or preserve for wild fowl, on the inquest of the jurors of the Hundred he is fined for his presumption; or if any person whosoever encroaches on such a water by means of fish weirs, or mills, or other obstructions, the same are to be removed, or at least the trespasser is assessed in a heavy fine for his contempt. And this law is more ancient than the Conquest, being especially enforced by command of King Edward. However, in the present day it is somewhat forgotten, and most of the purprestures that are answered here are for trespasses upon the King's farms, such as happened most frequently in the reign of King Stephen, and even during the late tumult of civil war. It happeneth, too, that the king's forest is oftentimes destroyed by those who in their greed seek to enrich themselves at the expense of other people, enclosing waste lands and removing their poorer neighbours' land-marks. It is found, however, most surely that sooner or later these men grow bold by impunity, and stretch out their hands over the king's forest, felling and stubbing the trees, and ploughing the woodlands, or enclosing them for pasture. Then the king himself, or his justices, taking note of the wrongful spoils, visit the offenders, as we shall presently see, with a grievous fine. It may happen, indeed, that by the king's license certain tracts of forest are converted into pasture, by payment of an annual rent, which are accounted for here under the name of wood-rents, not being included in the farm of the Crown lands, because their value is ever fluctuating. As for Escheats, I need say little

concerning those to yourself, for I think that your own experience is not small in that way."

As they conversed thus, the view of the "casual farm," as the purprestures, escheats, and wood-rents were called, was completed. This was made up, as Richard saw from the items set down by the Treasurer, chiefly from purprestures, escheats, and wood-rents, the balance being accounted for by casual profits, such as pannage, and profit of royal salt mines. With regard to these dues, Richard noticed that they were by no means expected to be paid by the sheriff in specie, but that he was allowed for certain fixed charges settled upon the canons of certain neighbouring churches, and for other purposes.

After this the Treasurer next examined the individual accounts of this shire, both those for which whole districts was liable, according to the visitations and assessments of the justices or barons, as well as the several debts of suitors or offenders. The particulars of the several accounts were duly produced, and scrutinized by the Treasurer; and as most of them were somewhat obscure, Richard was delighted to find that the Justiciary, who seemed to be familiar with the contents of all of them, kept up a running commentary designed for his edification, as follows:

"The first debtor just called by the Treasurer will not answer, for the good reason that he is supposed to be in another county, in which, and not here, he will render his account; so that the scribe, you see, is making a cross reference to Windsor, where payment will be entered.

"See, here is Richard Fitz-Turstin's brother William again, as he has been for the last seven years, I warrant you, to say he has yet got no money for his brother's debt, for he died in arrears with his farm some £70 or £80, and his brother here

is answerable for his estate, which, as all men know, was *nil*, and so the scribe will write him down as owing the same, and the Marshal will not be called in to visit this contempt as yet.

"Here is another man without money or voucher; but he has an excuse which you will see is a good one. 'Tis William de Fiscamps, I remember well, who offered the King a mark of gold to forward his suit; but as yet he has not had sentence in his favour, and so it would be unreasonable for the King to take a share of the bargain, not fulfilling the other part of it.

"Here is Hugo de Laci's steward come to pay another instalment of the great fine in which his master was amerced, and which he is loth enough to pay, being safe in Ireland. See, he has paid but four marks, and owes still nearly thirty. But this last debtor who is approaching is in still worse case, for he has appealed his adversary by the King's leave, for which he agreed to pay £33 6*s.* 3*d.*, and will gain nothing thereby, or may chance to be worsted. He can pay nothing now, and will be written down in debt."

At this point there was a pause in the proceedings, the list of individual accountants being apparently exhausted. Almost immediately after, however, the Chancellor's clerk rose in his place, and taking in his hand a long roll, to the end of which the Great Seal was affixed, proceeded to demand of the Sheriff an account of each item entered thereon.

"That is the original summons served upon the Sheriff by the usher yonder last Hilary," explained the Justiciary, "and which he has now returned into the Exchequer to be viewed. The Chancellor's clerk undertakes this matter because the summons was originally compiled by his scribe; and for the rest, it is by the King's instruction. Every item of which payment or allowance so proved you will see him strike

through with his pen, those not satisfied will be charged again in the next session. But come now, as this promises to be a tedious business, I will tell you somewhat of the assessed taxes of the kingdom, and of the privileges of us barons in respect to them.

"There are, as you know, certain imperial taxes which the King levies from the whole body of his subjects on appointed occasions. The most ancient of these is the Danegeld, which was instituted by the king and wisemen long before the Conquest, as some say, to pay off the Danish pirates, but rather, as it seems to me, for a war levy to provide for the kingdom's defence. For this purpose at least it was continued, after the Conquest, by the Norman kings, who were equally careful of the safety of their new subjects; but from the beginning of the present reign it has been rarely exacted, and is now almost wholly discontinued. And some think that Archbishop Thomas was the cause of this, who is said both to have introduced the scutage in its place, and to have forbidden its further levy to the King's face at his council of Woodstock, when the first quarrel between them arose. But neither of these statements is true, for that tax was a hidage, such as is still levied within honours and bailiwicks in the King's hands by ancient custom. The next tax in order of date is the Murder, which was imposed upon the Englishry after the Conquest for the safety of the king's Norman followers. Many of these being treacherously slain by the natives, who lurked unsubdued in the woods and marshes, the king ordained that for every man not being proved of Saxon birth who was found murdered, the Hundred in which the murder was committed should pay a heavy fine; and this was found a sufficient preventive. But now that the two races are utterly mixed by inter-marriages,

a moderate fine is exacted instead, for every murder, without regard to nationality. Besides these two, the essarts, of which we took note before, are assessed upon every Hundred within the shire, according to hides, for which assessment there is a regular scale, according to the value of the land placed under cultivation. Other taxes there are which fall under the head of "aids," such as the aid of the country or of the town, which are assessed periodically by the itinerant justices or barons, and with these is reckoned the aid for marrying the king's daughter, which was levied last year when the princess married the Sicilian King, besides that for making the King's eldest son a knight, and for ransoming the King's person from captivity, an occasion for which has happily not yet arisen.

"Moreover, the King's tenants who hold of him by knight service are liable for the scutage in lieu of military service, whereby the King may employ an army of Brabançons or other mercenaries, and so may spare the lives of his own people. This tax is said to have been first invented after the Conquest by Archbishop Lanfranc, to utilize the knights of the bishops and other churchmen; and so you may see, in the earliest Pipe Rolls of the present reign, the sheriff frequently charged with the scutage of the bishops' knights, as now he is with that of all military tenants. And you must know that the sheriff himself is responsible for all of the above assessed taxes, and they are entered in his name.

"Next as to the immunity of the Barons of the Exchequer from all taxes of this nature assessed upon their lands. It is certain that they have always been held exempt by reason of their office. For just as pious kings have given grants of lands to religious houses, to be held without any burthen, in consideration of prayers and like good offices, so they have extended their favour to others, such as the Knights of the

Temple and the Brethren of the Hospital of St. John in Jerusalem, and lastly to the Barons of the Exchequer, granting to them by their charters exemption from all assessments at the Exchequer, which charters once produced by them are accepted as a perpetual release from such payments, and this is now grown into a custom. I remember, however, not long after your suit was ended in the King's Court, that Robert, Earl of Leicester, being then Justiciary, thought good to obtain a special writ of exemption, in respect of the assart assessed upon his lands within a certain county, whereat the other barons, who had none such writs to show, were sore dismayed; and Nigel, Bishop of Ely, who was then Treasurer, reasoned with the Earl thereon, and so did many others; so that in fine he was compelled for very shame to plead the custom like the rest. But now let us quit this subject, for it will soon be time for the ceremony of closing the profer."

Turning his attention once more to the business of the hour, Richard followed the progress of the sheriff's profer, in which the items of the several assessments, fines, or compositions as yet decided by the justices itinerant, and returned by them into the Exchequer, were included, and among which he particularly noticed the following:—A Hundred fined for a murder, and three others smaller sums for false judgments; the men of the Isle of Wight 100*s.* for delaying to appear before the justices, which fine was remitted by the King's writ; the assessments of the chief towns of the county which had as yet been collected; heavy fines, often tendered to the King in person, in gold or besants, by Jews; a charger given by a courtier to obtain the royal favour; vintners fined for retailing wine by unlawful measures; a clerk fined because he impleaded the Abbess of Winchester contrary to the

King's writ; a landowner fined for appropriating a fishery without title or warrant.

Among the multitudinous items of this account, which were mostly of small amount, Richard perceived that the fines of those who lay in the King's mercy for trespasses upon royal forests were unusually heavy, ranging from 400 marks on Herbert the courtier, down to half a mark on Herbert the huntsman. It also appeared that for every debtor for whom he answered in this way, the sheriff received a separate tally; thus, in the case of the aid of the towns of the county, the sheriff had paid in £55 2*s.* 8*d.* in eleven tallies, being one for each, including two linked towns; and again, in that of a debt of £76 6*s.* 8*d.* for the forest trespasses of the twenty-second year, which was in arrear, the sheriff had paid in no less than thirty-nine different sums, collected by him probably from the same number of debtors, and for which he had received thirty-nine tallies.

As soon as the list of debts entered on the summons were checked by the Chancellor's clerk, those which were satisfied being struck off by him, a general movement was made by the barons present towards the middle of the table, where the Calculator was seated, with a pile of silver and gold coins of different sizes before him, which Richard was told were the Exchequer counters,—outlandish money received from foreign merchants, which, not being available for currency, was reserved for this purpose. Then the President, turning

Fig. 29.

to the senior Chamberlain, inquired of him if all things were prepared for passing the accounts; who answered that none of the silver paid into the Receipt by this sheriff since Easter had been blanched, having been received only recently. Upon hearing this the President gave certain directions to the usher, who disappeared, returning shortly with an officer, who carried in his hand a small box, the contents of which he poured upon the table. These proved to be silver pennies, of which 240 were counted out by the Calculator, and having been further weighed against the standard pound, were returned to the box. This was now taken up again by the officer, who prepared to leave the chamber accompanied by Hugo de Gundevill and two other sheriffs named by him as umpires on his side.

Fig. 30.

Anxious to witness the spectacle of the assay, Richard, by the President's permission, followed them to the furnace, which stood in a recess of the Receipt. Here they found the Melter, with bare arms and leather apron, busily blowing the furnace to a white heat. At a sign from the officer who carried the box, this person came forward, and, doffing his leather cap, held it out to the Sheriff, who threw into it two silver pennies. Having pocketed these, the Melter took the box, and selecting an iron crucible from his stock, placed it on the glowing charcoal, and threw into it the silver pieces, counting them by shillings as he did so.

The Sheriff and his friends now drew close and watched the operator narrowly, as he deftly skimmed the dross from the molten silver. Then, as Richard looked, he could see

first a few black bubbles floating on the surface, then, as these dispersed, the whole mass shone like quicksilver for a few seconds, till suddenly a number of bright particles rose from the bottom, at the first sight of which the Melter caught the crucible from the fire and emptied its contents into an iron mould, from which, in a few minutes, he turned out a small lump of solid silver, which the officer who was with them placed in the box and led the way back, followed by the sheriffs, whom Richard could overhear grumbling to themselves at the unreasonable length of time that the silver had been subjected to the fire.

Having returned to the upper chamber, the officer placed the bar of silver in the scale, and proceeded to throw in pennies one by one, till the ninth that he cast in turned the scale. Thereupon he withdrew to the Receipt, and one of the chamberlains informed Richard that the whole of the silver of the sheriff's farm would now be subject to a deduction of ninepence in each pound, in order to "blanch" or purify it, according to ancient custom and the condition of his contract.

The barons now once more drew round the table, and the Calculator, rising at a signal from the Treasurer, turned back the sleeve of his right arm, and, leaning forward, arranged his counters in the spaces of the chequered board to represent the sum which was entered in the exactory roll as the amount of the farm of Hampshire. The combination used for this purpose, though in appearance somewhat intricate, was easily understood by the knowledge that each column marked a separate denomination, beginning with pence on the right, and advancing by shillings, pounds, scores and hundreds of pounds, towards the left.

After this the Calculator arranged in the same way, in

corresponding spaces below, the cash payment made by the sheriff, deducting ninepence in every pound ; and below this, in separate rows, the value of lands granted out of the county, and the various payments made by the sheriff on behalf of the Crown, deducting twelve pence from every pound. Then, the whole being set out, he rapidly deducted the total of the payments from the total of the farm, showing that rather less than a half had been paid in ; whereupon the President, after withdrawing for consultation with the barons, in the council-chamber, formally accepted this profer, and a new tally was ordered to be cut in the Receipt for the amount.

After this Richard rejoined his friend the Treasurer, to whom he expressed the value of the instruction which he had received during the recent ceremony. "Behold, master!" he said, "this table, with its chequers and counters, seems to me in truth to resemble a chess-board, and these grave barons the onlookers at the game which you yourself have waged with the sheriff."

"It is so indeed," replied the Treasurer, "and the parable seems to hit the truth. As for yourself, I saw you in good hands, and I doubt not that you have profited as you aver. Perchance though I might have shown you more weighty matters in Tricolumnus, and that other treatise of ours concerning the observances of the Exchequer ; for let me tell you that the spectacle is not everything."

Then, as Richard had business to attend to in the city at the hour of noon, he took leave of the Treasurer, and went out into the glare and noise of the streets, still pondering on the things which he had both seen and heard.

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CHAPTER X.

WINDSOR.—WITH THE KING.

On the following morning, Richard de Anesti, sitting at the window of the Treasurer's chamber, could see the train of pack-horses and ox-wains ready to convey a consignment of the treasure just received at the Exchequer, under the escort of the deputy chamberlains, to the royal treasury at Winchester, where the King was about to gather his army with stores of every kind for the war abroad, and whence it would be more conveniently drafted as required to the final *rendezvous* at Portsmouth or Southampton. From the tidings that had reached London from time to time of the King's movements since his departure into the provinces, it was known that after a hunting bout at Marlborough, he had been in progress to Canterbury before Easter, to receive the Earl of Flanders, and to speed him on his expedition to the Holy Land with the Lord Mandeville. Thence he had returned again to London, leaving it on the eve of the Close of Easter for the eastern counties. The latest news from the Court spoke of a council at Geddington, where various castles which had been resumed after the late rebellion were finally disposed of, and the same information announced the King's intended visit to Windsor. Therefore Richard, after consulting with his friend the Treasurer, decided to follow the Court once more, in the hope of obtaining some satisfactory assurance with respect to his own suit.

The western road, though wild and in places almost impassable for carts, presented few obstacles to a well-mounted horseman, while the frequent requirements of the royal household insured ample provision for man and beast by the way. Therefore, a day's hard riding brought the lord of Anesti and his followers to their destination at the King's house of Windsor, where he was hospitably received by the chamberlains and marshals, and lodged in one of the temporary wooden structures surrounding the palace.

At Windsor, Richard found the whole Court devoted to hunting, or rather to hawking, taking advantage of the few days that remained before the close of the season. Therefore, on the morning following his arrival, he was invited to join the royal train by Eustace Fitz-Stephen, one of the King's chamberlains with whom he was acquainted. The direction taken by the King, who rode in front attended by his seneschal, marshal, constables, chamberlains, falconers, and other household officers, was towards a neighbouring wood, where there was a noted eyry of herons, and there, in a marshy meadow by the woodside, they could see in the distance several of the great birds of which they were in quest.

The King was desirous of proving a magnificent Norway hawk of a snowy whiteness, being a variety especially esteemed, which Richard knew that the Treasurer had recently accepted on his own responsibility as part of the fine of a foreign merchant at the Easter Exchequer, since the master of the King's hawks refused ordinarily to receive falcons at that season, on account of the risk during the moulting time. As soon as the falconers with their dogs had flushed the nearest of the quarry, the noble falcon, already unhooded, was thrown off upon his track. Then, although the heron flew as stoutly as could have been

wished, the falcon, cutting the air with her strong pinions, closed in upon him, and overtopped him in ever narrowing circles, when, having gained her distance, she stooped upon him like a thunderbolt, and down they fell together, through a cloud of feathers, into the tree-tops on the edge of the wood. As soon as the falcon had been secured and the game bagged by the falconers, they proceeded to the other side of the wood, where they enjoyed a similar flight with equal success. After this they rode some distance towards a swamp, where the falconers expected that they would find an old and wary heron, wherefore the King caused a fair ger-falcon to be held in readiness to join with the white hawk in the next flight. They came presently to the edge of the marsh, and, as soon as the dogs had plunged in, a great white bird resembling a heron, but greater, and with a red beak, long and pointed like a lance, rose heavily with a hoarse cry, from the farther shore.

"'Tis a crane!" exclaimed the King eagerly, "a choice quarry, and a rare one."

The great bird had now steadied itself in its flight, and the falcons were swiftly thrown off in pursuit. It was truly a stirring sight to see how the quarry leaped to the desperate strokes of his wings as soon as he was aware of these enemies on his track, and how the noble falcons mounted swiftly yet as steadily as though but upon an airing. The party meantime set spurs to their horses and galloped round the marsh to follow the chase. After a flight of some twenty minutes, the ger-falcon which had reached a higher pitch than her fellow, stooped somewhat wildly, grazing the quarry's wing, and failing to bind him, so that she was thrown quite thirty yards out of the chase. But this availed the quarry little, for the white hawk now stooped so resolutely upon him, that he fell fluttering

downwards, bound in the cruel clutches of his captor, and struck the ground with a heavy thud, breaking his long neck with the shock.

After some little trouble the ger-falcon was reclaimed, and the party turned their horses' heads in the direction of the forest, where the country was less cultivated, and the swamps were favourable to the presence of wild fowl; and here at length they surprised the old heron which the falconers had described to them, standing motionless in the shallows of a large mere. No sooner was he flushed than the King threw off the noble falcon which he bore on his left wrist, and which was held to be unmatched in England for breed and training. An exciting struggle followed, the quarry adopting the bold tactics of towering directly upwards, as though he meant to seek shelter in the clouds. But he was no match for his pursuer in this kind of flight, for with incredible swiftness she gained her vantage for the stoop, and hung for one moment suspended on her broad pinions, both being in full view some two hundred feet above the spectators' heads. At this sight Henry, wild with excitement and joy, burst out into his favourite oath: "By God's eyes, that quarry shall not escape, though God Himself had sworn it." As the King spoke the falcon made her stoop fair upon the great dark body below.

Then a strange thing happened; for the heron, quick as thought, threw himself on his back, and with a sudden dart of his long neck transfixed the falcon's throat and head with his beak, so that she fell like a stone at the King's feet, dead, whilst the quarry continued his flight unscathed. Exclamations of awe and dismay greeted this ill-omened occurrence. Henry himself, however, spoke not a single word, but turned his horse's head homewards, followed by

his courtiers, who discussed in whispers the nature of the event, some attributing it to an accident, and others to a miracle. On the way, Richard, who was riding alone, was joined by Master Walter Map, who seemed to be honestly grieved at his royal master's misfortune.

"Yonder flatterers and time-servers," he said, indicating the dejected courtiers in advance of them, "resemble the rats which leave a house when it is about to fall, after they have themselves gnawed away its beams and undermined the walls. Now, truly, to my mind, if there were any judgment to be discovered, it would be upon the King's supineness, and not upon his impetuosity; for the sin of swearing with him is but a habit of speech, and not a wanton profaneness."

"What mean you by that other offence?" asked Richard.

"I mean this," replied Map earnestly. "The King is so much engaged in the business of the chace, that the business of the kingdom goes all amiss. I mean not for want of care or attention on his part, who, as you know, is both assiduous and skilful in the dispatch of business; but because he neglects to observe how his courtiers carry out his instructions and fulfil the duties of their ministry. He is, in fact, like a man possessed of a beautiful mistress, who caresses him when he is with her, but wrongs him whilst he is absent from her side, with the first comer. So these courtiers protest to the King, and flatter him before his face. Then he, good man, rides forth to hawk or hunt; they stay behind and fish in the muddy waters of the Court, where they take great spoil of large fish and small in their cunning nets. Presently the King returns, well content, and divides what he has taken among them; they hold fast their own gains and keep silence. But the worst is, that they themselves are fully conscious of the King's short-sightedness, and blame him openly for it, as we

commonly find amongst flatterers, contempt for those whom they deceive."

"But truly, in so large a body," urged Richard, "there must be some disorders which from time to time the King will discover and remedy; and for the rest, is not this Court the seat of all learning and wisdom, the abode of riches and delights, and the very head of the body politic?"

"Rather it is on account of these things," replied Map, "that the vices of the Court appear so foul to those who are also conscious of its virtues. For to such the Court will ever be instead of a Paradise a place of torment for all honest men, next unto hell itself. For there, too, are flames and scorpions, and weeping and gnashing of teeth; not visible, indeed, but figured in the passions and disorders of men's minds."

"And who, then," inquired Richard, "are these false ministers of whom you speak? for it seems to me a great marvel that such as are bold and skilful in the King's service should yet betray him with others."

"Not so," replied Map; "for look you, these men do but deceive themselves with the belief that their zeal for the King shall absolve them from injustice to their fellow-subjects. Formerly indeed those who executed the highest offices were they to whom the same of right belonged, whose duty and care it was, equally with the King, to protect the people given to them to govern. But in course of time these magnates were replaced by the King's familiars, courtiers, and clerks, men indeed of the highest ability, but hirelings instead of shepherds of their flocks. Doubtless even yourself can remember the time when these were content to endite writs and charters as clerks of the King's Chapel, and to go on a journey, or to convey treasure to the Exchequer of Normandy,

or to overlook the King's purveyance or the mending of his houses in return for a scanty fee at the Receipt. And now, through the Chapel or the household is the only sure advancement for any man, and to be noble and free at once is to be suspected and disqualified, in this new world of ours, for every office. See now who are more flattered and fawned upon than the King's chamberlains, and also how many they be, and others without number, such as chaplains and men of the chamber, and clerks and serjeants of the same, and the knights of his private family, and keepers and castellans of his castles, and bailiffs of his honours and escheats, many of whom have engrossed the highest offices in the kingdom, being at once sheriffs of counties and justices of the Court and barons of the Exchequer, not for their skill in these matters, for as Master Richard, the son of Nigel, has truly said that of such it was written, 'They walk in darkness, and grope with their hands, and often they stumble;' and again, that 'seeing they do not see, and hearing they do not understand.' But they are thus advanced because our King would sooner trust a turnspit from the kitchen than a baron who can gather kindred and men round him in a strong castle."

"But hath he not reason," asked Richard, "having once experienced the treason and turbulence of these great ones, to trust them no further than he may control them?"

"This is so indeed in appearance," replied Map, "but not in fact, if the truth of that affair were known; and, moreover, one wrong by no means justifies another."

"Do you believe, then," said Richard, "that the kingdom was formerly divided in civil war between the courtiers of whom you speak, and the great barons, for these causes?"

"Truly I say," rejoined Map, "and that on the one side was tyranny and wrong, and on the other freedom and right;

though, as I said before, I do not wholly blame our King in these matters, but rather those who flatter and deceive him and oppress his people behind his back. For think you that the King's wife and his noble son, and the Earls of Leicester and of Chester, and many others, who secretly took part with them, were robbers of the people and enemies of the kingdom, as many would assert? Rather was it that they loved the people and the Church, though they erred in joining themselves with the King's foreign enemies and disturbers of the peace, and in making war upon him instead of seeking to reform the abuses of the times by example and precept. Wherefore the commonalty of the kingdom took the side of the King as against Scots and Flemings, though both then and now they groan beneath the burdens of these ministers and justices and sheriffs. And I myself have heard Richard de Luci, and others of the King's family, speak openly against the English race as not to be trusted, and advance the claim of Normans and French to possess freely the land that they had conquered. But enough of this, lest you should think that I am one of those who would appear clean themselves by defiling others. Therefore I will instead describe to you the plan of the King's great labyrinth at Woodstock, which Ivo, the engineer, devised as an arbour for the fairest rose in the world."

With such light talk as this, Map beguiled the remainder of the road, and moreover insisted that Richard should sit beside him at the royal banquet by favour of the marshal.

On the next day, being the second Sunday after Easter, there was a council held in the open fields in front of the palace, attended by the whole feudal muster of tenants-in-chief already summoned to meet the King on this day for service in his wars against France. The proceedings were here

informal, as the King appeared on horseback and armed at all points, being evidently more intent upon reviewing the state of his barons' preparations, than of listening to their sagest counsels upon affairs of state. However, by a stroke of policy, he had decided to announce the restitution of all the remaining castles throughout England, which were resumed after the late rebellion.

Richard seized this favourable opportunity for advancing his own suit through the mediation of his kinsman, Ranulph de Glanvill, but was unable for the present to obtain a satisfactory assurance. Indeed it was not likely, as De Glanvill pointed out to him, that while the castles of such an approved royalist as Richard de Luci were demolished for strategic purposes, and a heavy perquisition laid upon the Treasurer's own lands of Essendon for the necessities of the State, that a lesser baron like himself should be exempted without strong cause. In short, De Glanvill advised him to confine his suit to obtaining a remission of the fifty marks which he still owed in respect of the marriage of his daughter, together with a smaller amerciament for an assart discovered by the inquests lately taken in his county, as in the rest of England, before the king's justices. This sacrifice, however, he was reluctant to make, not from any feudal importance which might be attached to the possession of a ruinous fortress, but for the cherished associations of the home of his boyhood, and a secret sense of injustice suffered from this indignity in the face of the oft-tried loyalty of his family and kindred.

Thus matters would have to remain as they were, and as the fatal warrant was not yet issued, there was still the hope that, thanks to the diversion of foreign war, his humble castle might be passed over, and thus escape the fate of the strong

town of Benington, which he had lately heard of as having been attacked by an army of workmen with steel pickaxes, under the direction of a royal overseer. For the present, therefore, in spite of this discouraging reception, Richard resolved to follow the Court in the hope of profiting by some fortunate adventure.

The next day the King set out at daybreak towards Oxford, where he had appointed to meet the lords of Lacy in order to invest them in their Irish fiefs. Richard, who had joined himself to the lord of Glanvill's party, was agreeably surprised to find included in it his old friend Jordan Fantosme, lately arrived from Winchester to advance a suit concerning the privileges of his flourishing school. This remarkable man, half poet and half courtier, was an Italian by birth and well versed in the civil law. He had once been settled in the town of Hertford, and before that had been attached to the family of Glanvill, where he had become acquainted with Richard de Anesti, whom he had materially assisted, as we have seen, in his great suit to recover the lands of William de Sackville his uncle. As a *raconteur* of chivalrous adventures, or a troubadour, Fantosme was unrivalled in that day, and by the unanimous petition of his travelling companions he was persuaded to enliven the tedium of the journey by a recitation based upon one of those incidents of the late war which were of ever present interest to most of his listeners. The burden of his narrative, couched in the romantic dialect of the langue d'oil, was very much as follows:

"Hear a true history, my friends, of the best king that ever lived. Remember you not that after the coronation of his son, he withdrew from the crowned youth something of his lordship, whence deadly envy arose, whereby many a gentle

knight lost his life, many a saddle was emptied, many a good shield pierced, many a hauberk broken. As soon as the young king was unable to fulfil his desires, he fled away secretly, passed a ford of the Loire, and neither ate nor drank until he reached St. Denis. There he was received joyously by the King of France, and thither they sent for him of Flanders, Philip the warrior, and Matthew of Boulogne, and many more besides.

"At Easter-tide was the French host summoned, and they rode to the borders with banners furled, and many a shield lined white, red, and grey. King Henry, undismayed, rode against them in haste. In his company were ten thousand Brabançons, and many a gentle knight, Angevin and Gascon. God aided him much that day, and the helpers of his son were quickly routed. On Matthew the fighter came the lance, the red blood trickled to his golden spurs. But for all that the French and Flemings still made war on him, with the barons of Brittany, and Hugo, Earl of Chester. But soon, at Dol, in Brittany, the barons were made to withdraw within their castles Neither mangonel nor arbalist served to defend them. The French were frightened at the dread tidings, the heart of the hardiest trembled and wavered. But King Louis wrote a letter to the King of Scotland, and his messengers bore it over forests and rivers. Hereby the young king sent a loving message, stirring up his vassal to fight against his father, promising to give him the

Fig. 31.

border land of England. Never was a king promised so great a victory as this one was promised ; but all was vain-glory.

"Now has the King of Scotland made ready his host, with banners and steel brands and sharp spears, a thousand armed knights and thirty thousand naked followers, with Flemings from France, able to besiege castles. Never came such a host from Scotland since the time of Elias.

"Then came King William to Wark, in England, a castle in the marches, Roger d'Estutevill its castellan, who asked the space of forty days to see if help should come to him. Thence he went towards Alnwick, against William de Vesci, and made the same covenant with him as with the constable of Wark. And thence he came to Warkworth, that was all defenceless ; and thence to Newcastle-on-Tyne, but he could not take it ; and last of all to Carlisle, and assaulted the castle. And there news was brought to him by a wandering canon that the southern knights, with Richard de Luci, would be upon him at sunrise ; wherefore he went to Roxburgh.

"Now the host of England was come into Northumberland, when messengers came after them, breathless, with these tidings : how that the Earl of Leicester, with Frenchmen and Flemings, and with men of Friesland, was come into England. Then did Richard de Luci like a man of sense. He hid from the King of Scotland this new injury, and gained a truce for Northumberland until the summer. Then he turned back with his gentle knights, uttering this pleasantry : 'Let us make acquaintance with the Flemings.'

"You have all heard it oft, both great and small, how the lord of Luci overthrew the Flemings. They came over here after the wool of England. Never more will they cry 'Arras' in their own cities. There was not in the country a clown or a villein who did not go kill Flemings with fork and flail.

The armed knights then intermeddled with nothing—except the knocking down; the villeins did the killing. Then you might see Flemings fleeing through the meadows, with their head-pieces broken and their bowels trailing. Their bodies by hundreds were tumbled into the ditches, upon their carcases the crows and buzzards gathered. Never had England such a riddance of strangers.

"It was in May, when grass has grown greenest, that David of Scotland came into England to secure his burgh of Huntingdon, and to succour Leicester. Then, too, King William returned towards Northumberland.

"Ah, God! why did not the King of England know of it, that the unhappy people had then been warned of it, who were sleeping in their beds, thinking no evil. It was still morning, before the dawn grew bright, that the vile race, the Welsh, who long for booty, and the Scots of Albany, burst into the country, who have no faith in Jesus the Son of Mary. Some break open monasteries, and slay the nuns and canons, some fire the houses, some seize the sheep in the fold. They have not left in the country an ox to the plough. Then you might see peasants, naked women and children, bound in cords and led like heathen men.

FIG. 32.

"The King of Scotland again has assailed Wark, but he is

unable to take it; Roger d'Estutevill is his match. So he departs towards Carlisle, the beautiful city. The sun lights up the walls and turrets. Robert de Vaux is the castellan; he does not fear them a berry. But unless help comes to him he must needs surrender. So he sends a messenger to Richard de Luci; how that William has taken Brough and Appleby, and the Scots run everywhere like demons. Richard de Luci has written a letter; the Bishop of Winchester will bear it to King Henry. He took ship at Southhampton; I myself went with him. On the third day we found the King at Bonneville. The bishop saluted him thus: 'May you have salvation from God. England greets you as her protector. Sire, hear now the truth; beside Richard de Luci, there are not ten barons in England who stand by you.'

"Then said the King, 'What is Richard doing—De Luci the loyal, and the Earl of Arundel and Humphrey de Bohun,—how are they behaving?'

"'Sire, by my faith, they are your well-wishers; in all your need they are first and foremost.'

"'The barons of Yorkshire, how have they acted; and they of Estutevill, do they hold their castles?'

"'Truly, sire, from Estutevill never yet came treason.'

"'And the elect of Lincoln, can he not assist them?'

"'He is, in truth, sire, of your noble blood.'

"'What has happened, then, that you are hiding from me; tell me the truth now about my northern land. Ranulph de Glanvill, is he at Richmond? and Robert de Vaux, what are these two doing?'

"Thereupon the bishop heaved a deep sigh, and the King said unto him, 'Why these sighs? Has Robert yielded Carlisle? Speak nothing but the truth.'

"'Nay, but he holds it nobly, like a noble baron. The

King of Scotland came riding by Carlisle; he threatened the lord Robert de Vaux most fiercely, demanded of him the castle, saying that he would make him rich; or if not, they should starve, both small and great.'

"'By my faith!' said the King, 'here are good conditions.'

"'And moreover, Sire, Brough is taken, and Appleby, and all Northumberland is devastated. Odinel de Umfravill, in Prudhoe, is beleagured; Newcastle is threatened, and the fiefs of William de Vesci.'

"'And what, friend, is the Bishop of Durham doing?'

"'Alas! sire, he is all one with King William.'

"'St. Thomas,' said the King, 'guard my kingdom for me! But, fair lord, tell me once more the truth, how are the brave men of my city of London acting?'

"'So may the Lord God who rules in Trinity help me; they are the most loyal people of all your kingdom. Only Gilbert de Munfichet has fortified his castle, and gives out that the Clares are leagued together with him.'

"The King shed tears. 'Oh, God!' he said, 'have pity, preserve the brave men of my city of London. Depart, lord bishop, to your country. If God give me health, and I be alive, you will have me in London before fifteen days are past, and I will take vengeance on all my enemies.'

"Then we returned to England, to Richard de Luci, who eagerly inquired news of the king.

"'My lord,' said the bishop, 'he is a worthy King. He does not care a berry for his enemies. You will see him in London fifteen days hence.'

"Then did Richard de Luci rejoice greatly, and sent word to De Vaux not to be afraid. When Robert up there in his tower heard that, he was never more rejoiced on any day.

"Now King William went straight toward Prudhoe; he

wished to surprise Odinel de Umfravill. But Odinel had the castle well garrisoned; he valued not their siege the value of a berry.

"Great was the host of Scotland, and the noise and the cry of the Flemings and Borderers who assailed the castle. Some scale the *chevaux de frise*, some fill up the ditches. Those who were within did not forget themselves. Then you might see bucklers and helmets broken; wounded Flemings carried from the *chevaux de frise*. There was never a better defence within these two countries. The swords resound, and the steel crashes. Scarcely a hauberk or helmet remained whole. That day the garrison were knights, no coward would have been of any use there. At the barbican were many blood-stained knights; with their swords they made holes in many a shield. The assault lasted long but effected little. Certainly King William ceased not to lose. When he saw his serjeants die and gain no vantage, he was grieved at heart, and said in his distress, 'Send for the arbalist quickly to the stockade. It will soon break the gate if the engineer lie not.'

Fig. 33.

"Hear, sirs, of the arbalist, how it fared. The first stone it ever cast at them, it struck one of their own knights to the earth. Then uttered King William this pleasantry, 'Indeed this engine appears to be very costly.' When the arbalist

failed him, he caused fires to be brought. He wished to burn the castle; but the wind was contrary. They within lost not a silver penny's worth, but their fields they have lost, with their corn and cattle; their very fruit-trees barked. It was a mean revenge.

"Three days the siege lasted, and on the third Odinel went off on maned Beaucant, to seek assistance. So far he has travelled on good brown Beaucant, spurring continually, day and night, that he has collected good valiant helpers—four hundred knights with their shining helms,—who will succour Prudhoe with their sharp swords. There rides William d'Estutevill, and Ranulph de Glanvill, Lord Bernard de Balliol, and William de Vesci. The Archbishop of York gave them sixty knights. To Newcastle-upon-Tyne at dead of night came Odinel, who leads and guides them. There they heard news of the King of Albany, who was gone to Alnwick with a chosen following. There in the morning, at dawn of day, they went into a wood, and sent out their spies.

FIG. 34.

"Five hundred knights were with the King of Scotland, who all kept saying to him, 'Believe not cowards; yours is Northumberland, whoever may laugh or weep for it.' Because of the heat, the king took off his helmet; he said to his knights, 'My lords, let us dine.' Said Ranulph de Glanvill, 'Now take your arms quickly.' They mount their horses and

shout their war cries. Then knew King William that he was betrayed. He was immediately taken; with my two eyes I saw it, as between his legs his horse lay upon him. Lord Roger de Mowbray, a very valiant baron, and lord Adam de Port, they go spurring away. Certainly, if they had not ridden so fast, they might that day have lost everything. The boldest of the king's knights they take with him. England is at peace, the war is ended.

"That same day King Henry was in England, and first he went to the martyr St. Thomas, where he confessed himself quite sinful and wretched. Thence he went to London, where he had desire to see his city and his good people. When they heard the news that he should come to London, every-one dressed himself richly in his best; nor was there any that had not an ambling palfrey, and they went out of the city in a long procession. He must really be a king who has such subjects. You might well have gone a league's distance, so long lasted the embracing of the King and his people. Thus they accompanied the King as far as Westminster, making rejoicings at the coming of their lord. But he was pensive and greatly distracted because his northern land was laid waste, day and night. When night fell the King had entered his chamber. He was leaning on his elbow, and slept a little. A servant at his feet was gently rubbing them. There was neither noise, nor cry, nor any speaking, neither harp nor viol, nor other music at that hour. To the palace a messenger came; for three days had he ridden, for three days he had not drunk, nor eaten, nor slept. At the chamber door the messenger called gently.

"And says the chamberlain, 'Who are you there?'

"'I am a messenger, friend. Lord Ranulph de Glanvill sent me in order to speak with the King, for great need he has of it.'

"And says the chamberlain, 'Let the business be till morning.'

"'By my faith!' said the messenger, 'I will speak to him, forthwith.'

"And says the chamberlain, 'I should not dare to do it.'

"Whilst they are speaking, the King has awakened, and he hears one crying at the door, 'Open! open!'

"'It is a messenger from the north, sire; a man of Ranulph de Glanvill's.'

"'By my faith!' said the King, 'now am I very uneasy. He is in need of aid. Let him come in here.'

"'Sire king, may God who dwells in Trinity save you.'

"'Friend,' said the King, 'what news do you bring? Has the King of Scotland taken all my castles? Have all my barons and liegemen been slain?'

"'Sire,' said the messenger, 'hear me a little what my lord bids me say. You do wrong to torment yourself. The King of Scotland is taken, and all his barons.'

"And says King Henry: 'Do you speak the truth? Is the King of Scotland taken? Tell me the truth!'

"'Yes, sire; by my faith, all will be confirmed.'

"Then says King Henry, 'God be thanked for it, and St. Thomas the Martyr, and all the saints of God!'

"Thereupon the messenger goes to his hostel. He has abundance to eat and drink. And the King is so merry and joyful that night, that he goes to the knights and wakes them all up. 'Barons, wake up, I have heard what will make you glad. The King of Scotland is taken; so it is told me for truth.'

"And the knights say, 'Now thank the Lord God for it; now is the war ended, and your kingdom in peace.'"

At the conclusion of this lay, Jordan de Fantosme was

loudly applauded by his hearers, who commenced an interminable discussion amongst themselves, based on personal exploits or reminiscences of the war. In such animated conversation the journey was pleasantly accomplished, when late in the evening of the second day after their departure from Windsor, they saw the grey towers of the fair city of Oxford looming against the purple western sky.

CHAPTER XI.

WALTHAM.—SECULARS AND REGULARS.

THE King's visit to Oxford was signalized by a great council for the settlement of Irish affairs, and here, as had long been expected, Prince John was constituted king, or rather lord, of Ireland, with intent to strengthen the influence of the Crown there as much against the too successful and ambitious baronial adventurers, as against the now thoroughly dispirited native princes. It was therefore a characteristic feature of Henry's policy, that he at this time bestowed upon certain nobles of his household several of the chief baronies of the new kingdom, besides entrusting others to barons who, like the Lacies, had been recently admitted to pardon upon a guarantee of future good behaviour. The success of the ceremony was enhanced by the presence of some of the principal Welsh princes, with their wild but picturesque following of white-robed captains and native bards of matchless skill in the expression of their national aspirations, added to which the attractiveness of the venerable city—now fast recovering from the ravages of the Conquest—and of its surroundings at this season of the year, rendered Richard de Anesti's sojourn a remarkably pleasant one.

From Oxford the King proceeded before long to the inauguration of the first of his religious foundations—the fruits of his recent pilgrimage to the shrine of St. Thomas.

The Convent of Amesbury had long enjoyed an unenviable

notoriety through the wit, beauty, and gallantries of its abbess and the daughters of noble families whom she had gathered round her. It was also whispered that these fair recluses had intermeddled with other worldly matters connected with the disagreement between the King and his imperious consort. Already in the preceding spring, after the great council held at Northampton, two bishops, acting as royal commissioners, had visited the nunnery to effect a resumption of the foundation into the King's hands; and now the King himself, accompanied by the primate and an imposing train of bishops, went thither to assist in person at the deposition of the abbess and suspected nuns, and the installation of a new abbess and convent drafted from the exemplary house of Font Evrault, whose arrival at Southampton had already been notified.

Richard was present at these somewhat undignified proceedings, which however only formed a part of the King's project of dissolution ; for simultaneously with the first visitation of this nunnery, the King had required the surrender of the college of secular canons at Waltham, upon an equally vague charge of irregular living ; though here too it was suggested that the worthy canons had incurred more displeasure through their devotion to their hereditary patroness, the Queen, than through the neglect of ecclesiastical discipline. But whatever point might be given to the scandal by the King's present relations with the Church in the matter of his divorce, Richard, who had already discussed the whole affair with the Treasurer, was well aware of the real motive for the King's present action. This was nothing less than want of funds to provide for a new foundation in fulfilment of his recent vow to St. Thomas the Martyr ; and therefore the son of Nigel had maintained that the King was justified, on the eve of foreign war, in appropriating two religious foundations, being

the actual property of the Crown, to satisfy the demands of national piety and to further the supposed interests of the Church at large by a reformation of alleged abuses. This opinion, whether correct or not, was at least a disinterested one, since the Treasurer himself, as a canon of St. Paul's, had naturally a strong bond of sympathy with the ejected fellows.

From Amesbury the Court removed to Winchester, where the final muster of the feudal army was held, only to be once more adjourned for a month, to await the result of the embassy which the King had determined to despatch to the French coast in a last endeavour to procure a peaceful solution of the quarrel with his suzerain. Here, too, Richard bade farewell to the learned Abbot of Peterboro', who, being now consecrated, had departed to enter upon his new preferment, taking with him the manuscripts of the *Liber Tricolumnus*, the *Liber Curialis*, and other precious works, to be copied in the scriptorium of that clerkly monastery.

After a flying visit to London, the King repaired to Marlborough for a few days' rest. On the Friday before Pentecost, the Court was once more at Westminster, whence the King purposed to make his personal visitation of Waltham Abbey, taking with him a body of new canons drawn from certain religious houses which professed the severer rule of St. Augustine. On the following morning, before sunrise, the King set out for Waltham with a brilliant train of churchmen and courtiers. Richard de Anesti rode amongst the latter with a light heart, for his face was now turned towards his native county, and every feature of the landscape through which he rode in the fresh sunshine of a perfect June morning was a familiar landmark.

At the hour of Prime the party reached the little town of Waltham, and halted before the canons' houses, picturesquely

situated in the green meadows hard by the Church. Here, thanks to the care of the lately resigned dean, himself an experienced purveyor of the Crown, they found ample accommodation provided for their horses and followers, and, after breaking their fast in the dean's house, the King proceeded to the Chapter House of the Church, in company with the bishops and his principal courtiers, to arrange the terms of compensation for the outgoing incumbents, and to witness the induction of their successors.

Richard took this opportunity to visit the famous church founded by Tovi more than two centuries before, and rebuilt by his master on a scale, it was said, intended to rival the Confessor's Norman church of Westminster itself. If this were true, the design had not been carried out, but the failure had been compensated for by the amazing richness of the interior decoration, the pillars having carved bases and capitals of extreme beauty, and the shafts being overlaid with gilded plates which shone like pure gold. Numerous shrines of exquisite workmanship contained the relics for which this Church was famous. But the chief object of interest was the great altar at the east end of the chancel, of which the fore part was supported by the figures of the twelve apostles, and the hinder part by twelve lions, all of the most costly materials and workmanship. The body of the altar was of solid gold, having a marble slab in the centre. The vessels and candlesticks were also of pure gold.

As Richard approached the shrine which contained the Holy Cross, he saw a venerable canon prostrated before it in an attitude of the deepest dejection. This person rose presently, and was about to pass by him with a gentle benediction, when Richard accosted him with a courteous inquiry for Athelard the Canon, to whom he had been recommended

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by his friend the Treasurer as a person of great learning and piety. To this the canon replied, he was that Athelard, and on receiving the son of Nigel's greeting, expressed his readiness to pleasure the lord of Anesti in anything that lay within his power; "for I see," he added, "that you are not like the rest of Master Wido's court friends, for whose sake he has betrayed those who were committed to his charge, not only by the King but also by God." These words, which were spoken by Athelard without any bitterness of tone but with a voice of profound melancholy, moved Richard to ask the good canon how the misfortune which had fallen upon his house had been deserved. Whereupon the other began the following narrative, the course of which was frequently interrupted by sighs and mournful ejaculations.

This Church and College, he said, was a fitting memorial of the simple piety of Harold, son of Godwin, who, though a Dane by blood, showed himself by his acts more English than those degenerate Saxons who craved the rule and religion of the foreigner. And because of this, the family of Godwin was reviled by the courtiers and the Roman clergy, and all whom that family befriended were also persecuted, and had been ever since, by those of Norman blood, from that day to this. Now Harold, who loved the people, desired that the priests and ministers of the people should be such as might guide and encourage them in all good works, both for this world and the next; and because he perceived that the religion of the regular clergy was vanity, and that their lewdness and covetousness was great, he endeavoured rather to multiply the number of secular priests, born of the people, and marrying with them, and eating and drinking and labouring amongst them, and speaking and fighting and praying for them. Therefore, when King

Edward gave to him this town of Waltham and all the land, he both built such a church as the Frenchmen should not sneer at, and endowed it abundantly, that the priests might be able to give of their abundance to others and to succour the poor and needy. But he would have no rule of obedience there, save statutes like those by which the holy canons of Germany were governed; nor any common habit of living, such as sleeping and eating together, and walking and writing, and talking and idling in cloisters, but each priest had his separate household, his wife and children and servants beneath his own roof, and his own cattle and plough-teams, if he chose to cultivate the land himself, though of late years, from the increasing population of the town and the occupation of prayer and attendance in the church, those lands were let to farm to worthy husbandmen, who paid for the same in a fixed tribute of corn and malt and flesh. Yet each canon enjoyed a prebend which gave its name to his stall; and each prebend was assessed according to its means to provide in turn the doles and pittances of the whole College for so many weeks together, namely, three loaves of bread and six dishes of meat, and six bowls of beer daily to each canon and his household, and pittances of game and fowl, and wine, on festival days. For present expenses each canon received forty shillings yearly out of the tithes of Waltham and the offerings to the church, and forty shillings more for his dress. The College consisted of a dean and twelve canons, from whom were chosen a chancellor and a treasurer, and a sacristan, and the master of the schools, who was the most important person of them all.

But wild days were in store for the church after the Conquest of England by the Normans, when those who had recovered their benefactor's body, and bathed it with their

tears, and buried it with great honour, and remained always faithful to his memory and his wishes, were hardly dealt with and oppressed by the Frenchmen and the monks. And at first the town and church were given to the warlike Bishop of Durham, who taxed them to build his castle; but afterwards Matilda, wife of King Henry, was their benefactress, and restored their lands; and after her came the virtuous lady Adelicia; and next the Empress, mother of the present king; and after that his wife, Queen Eleanor.

Athelard himself had witnessed the good works of the last three of these noble ladies, for soon after the death of Queen Matilda he had entered the school when five years old, becoming a chorister, and attaining to the successive degrees of sub-deacon, deacon, and priest or canon. Thus he had been in a manner born and bred in the church, and had thought to end his days there. But lately, from no fault of their own, the King had resumed the church into his own hand, with intent to change it into a monastery, to the utter dishonour of their founder's memory and to their own undoing.

The author of this mischief, Athelard firmly believed, was Wido the Dean. This man had been their evil genius for nearly twenty years. He was a crafty and self-seeking man, who had crept into office by his obsequiousness and also by his zeal and intelligence in the royal service. As the King's bailiff of Waltham, he had displayed abilities which led to his employment in larger enterprises. He had even sat at the Exchequer, and none was so skilful as he in the purveyance of victuals for an expedition, or in the negociation of a loan. His private life was notoriously scandalous, and he had been suspended some years since on that account by the primate himself. In order to recover his position, he had not scrupled

to betray the interests of his church, and lend himself as a tool to effect the present dissolution of the house. Moreover, two of his brothers were the King's chamberlains, and by their interest and his own previous services, he had obtained the promise of a rich manor in compensation for his deanery.

After listening to the good canon's pitiful story, and to his numerous reminiscences of the history of the church in the past, Richard returned to the Chapter House, where he found that the King, having completed the business that he had in hand, by pensioning those of the canons who could be induced to vacate their stalls, and giving a grudging consent to the life tenancy of those who were obstinate in their refusal to quit, and satisfying the ex-dean with a suitable grant of land, and inducting on the spot the new canons, and enthroning the first prior of the new foundation, the abbot, a foreigner, not being yet arrived, was about to return to the canons' houses to dinner before setting out on the journey back to Westminster, where he was to keep the feast of Pentecost.

Richard had previously determined to hold on his way to St. Alban's, on a mission which he had undertaken on behalf of his friend the Treasurer, instead of following the Court back again to London. Therefore, as soon as he had taken leave of his friends, and seen them fairly started on their homeward journey, he set forth himself in the opposite direction in order that he might make the town of St. Alban's before nightfall. In this he was successful, in spite of being set upon by thieves, from whom he escaped through the swiftness of his horse, leaving a good palfrey and several changes of raiment in their hands.

The town of St. Alban's was one of the fairest to behold in all England, being pleasantly situated upon a gentle eminence

overlooking a wide expanse of rich meadows, through which a silvery stream meandered, a favourite harbourage both of fish and waterfowl; while in contrast to the flourishing churches and substantial houses of the burgesses, the ruins of the ancient Roman city, once the centre of arts and civilization in the eastern counties, lay within the moss-grown ditch and rampart commanding the great highway. The famous monastery and church stood upon the extreme edge of the western slope, and hard by was the great market place, of which the townspeople were almost as proud as of the church itself, to which on market days came chapmen from Luton and Dunstable, and husbandmen and their wives from all the country round.

No sooner had Richard entered the town than he was aware of a strange air of suppressed excitement that pervaded the whole population. At every street corner was assembled a thick cluster of burghers, and before every other doorway a smaller knot of women, all discussing some unwonted event with hushed voices, or listening with eager faces to the narrative which a few better informed than the rest were relating with much gesticulation. Passing on to the hostelry where he purposed to lodge that night, Richard took the occasion to inquire of the host the meaning of this unwonted movement in the town, who, nothing loth, proceeded to instruct his guest with the following tale.

It had happened, he said, during the previous night, or rather about daybreak of that very day, that a certain burgess of the town, by name Robert the Mercer, a person greatly respected for his honesty, piety, and sober living, being asleep in his bed, was awakened by a vision of one clothed in white, whose face shone as the face of an angel, standing beside him. At the sight of this angelic presence,

which illuminated the whole chamber and filled it with a rare and sweet perfume, Robert lay quite still, being unwilling to dispel the trance into which he supposed that he had fallen. Whereupon his visitor, in a low rich voice, which vibrated in the air like the strains of sweet music, called him by his name, bidding him to be of good courage, and saying that he was St. Alban, and that he had come to announce his master's bidding, that he should straightway rise and follow him to the place where his master's body lay. Robert hastened to obey, and, preceded by the Saint, he passed out of the door of his house into the street, marvelling greatly at the miracle that had been revealed to him. As he walked beside his ghostly companion in the grey light of the morning, Robert observed that he appeared to be like any other man, save for the great nobility of his features and the rapt expression of his eyes and lips, which seemed to be gazing on and conversing with some distant object. Growing bolder by degrees, Robert entered upon a discourse concerning the city and its ancient lore, to know if haply the Saint would reveal to him some holy mystery of the saints and their martyrdom, or perchance, the host opined, to discover some hoard of treasure buried in the earth. But to all that Robert said, the other answered only briefly or by signs. By this time they were come outside the new town, and so along the great road leading towards Redbourne. And once Robert recalled that they turned aside out of the road to avoid a company of merchants coming from Dunstable to the town, it being market day.

At length they came to a pleasant plain, where a road passes through a common shaded with thorn trees, and here there are two hillocks raised, which men say were once the burial places of the Britons, but which now are called the

hills of the Standards, because around these the people meet from all the country side to wend in procession with their banners to the Church of St. Alban on the festival of the blessed martyr. Here then the Saint paused before one of the hillocks, and signing with his staff upon the turf, it opened in the form of a cross, revealing a sepulchre within, and a shrine, or sarcophagus, from which a dazzling light proceeded, which lit up the whole western landscape as with the beams of the rising sun. "Behold," said the Saint, "the relics of my master, the holy Amphibalus, and his fellow martyrs."

With these words he again signed as before, and the earth closed up and remained as it had been formerly. But Robert, by the Saint's directions, gathered stones and piled them together upon the place where the fissure had been, and having done this, they returned as they had come, until they arrived over against the church, where the Saint parted from him, and entering swiftly into the church was no more seen by him. After which Robert sought his bed, and falling asleep, dreamed of all he had seen, just as it had befallen him. And in the morning he related the vision and the miracle that he had seen, and the invention of the bodies of the blessed martyrs. And in fine, the father abbot, nothing doubting that these holy relics should be recovered by the church, to which of right they appertained, had set a guard over the sepulchre, and purposed that the same should be opened and the bodies discovered on the festival of the blessed Martyr St. Alban, which would be celebrated on the Friday following.

The host further added that the whole town and country was so transported with wonder and joy at this fortunate event, that although that day was the market, there had not been bought or sold so much as a bushel of grain or hundred of eggs.

Deeply impressed with the relation of this miracle, Richard sought his couch, mentally resolving that he would now prolong his sojourn in the city until after the day appointed for the translation of the holy martyr's remains.

On the following morning he heard matins at the abbey church, after which he entered the monastery precincts by the northern gate, and having disclosed the nature of his business, he was escorted by a serjeant across the courtyard to the forensic parlour, where he remained whilst the prior was apprized of his attendance.

The latter presently appeared and referred him in turn to the monastic officer to whose chequer the tithes of Essendon and Beyford were appropriated; and since his name and condition, and those of Richard the King's Treasurer, were well-known and esteemed here, besides that one of his family had formerly rendered the house some service in respect of the tenure of the farm of Wycombe, Richard received a very courteous and pressing invitation to take up his abode as a guest of the monastery until his business was concluded, which he gladly accepted.

Having next delivered himself of his mission to the proper officer, and receiving an intimation that the matter would be duly considered, and after conveying his baggage to the chamber assigned to him within the hostry, an ancient building partially restored and containing a common room or parlour, wainscoated, and beautified with a painted ceiling, Richard was free to explore the conventual precincts as far as the restrictions which etiquette imposed upon strangers permitted. That is to say, he was able to walk for exercise in the prior's cloisters, and abbot's cloisters, with the gardens adjoining to them, and the several chapels there, and the church itself, which could be entered from the infirmary

garden. But of far greater interest to him were the courts and offices of the several obedientaries, and the workshops in which, according to the Benedictine rule, the lay brethren laboured in supplying the garments, boots, furniture, and even to some extent the material and ornaments of the church and monastery; while in the outer courts there were the stables, granaries, and laundry to be visited.

The inner life of the monastery was distinguished from the forensic or domestic occupations of the official brethren by the unbroken routine of prayer and meditation, or by reading and writing in the shady recesses of the windows, while some, who appeared to be novices and choristers, studied and practised themselves apart from the rest under the direction of their masters. At certain periods assigned for recreation, all these would disperse over the flowering turf of the cloister garth, or, in the early morning, at midday, and in the evening, they would cluster round the lavatory in its centre; while at the sound of the bell or of the clapper, the dark-robed figures would file in slow procession out of the cloisters, according as they were summoned to attend the choir, the infirmary, or the cimitery, the refectory, the chapter, or the dormitory. Indeed, the days and nights in the monastery were so regularly portioned out between the canonical hours, the observance of the monastic rule, and the necessary intervals for refreshment, recreation and sleep, that to Richard himself the progress of time seemed scarcely to be marked by these swiftly-repeated signals; for hardly had the matins bell roused the community from its first sleep, and the lights flitting for a short space through the dormitory and church been extinguished, than the crowing of cocks, the bleating of sheep, and lowing of kine impatient to be released from the fold heralded the breaking of the day; and soon the noise of hammer and

saw, and the tread of hurrying footsteps, and the sound of the bell for matins-mass announced that the daily occupation of work and prayer had been resumed. Then scarcely had the less abstemious members broken their fast with a loaf and a cup of ale at the cellarer's turn, and the more studious arranged their daily tasks, than their attendance at the formalities of the chapter was required, succeeded by high mass; and then, with a brief interval for ablutions, the great event of the conventual day, dinner, was announced before mid-day. This was hardly despatched before the service of Sixts claimed their attendance, followed by the daily pilgrimage to the cimitery and the welcome siesta, with meditation or study in the cloisters, interrupted only by the service of Nones, and continued till supper, after which vespers and grateful recreation in the cool of the evening, until the cloisters were locked for the night, and Compline gave the signal for retiring to the dormitory.

Fig. 35.

CHAPTER XII.

ST. ALBAN'S.—THE SCHOOLMEN.

THE most pleasant spot within the precincts, to Richard's mind, was a small garden of herbs enclosed by a wooden cloister on one side, and extending on the other up to the walls of the church itself, on a level with the presbytery, through the door of which, by the favour of the keeper, he could watch the labours of the smiths upon the exquisite shrine of the Saint, which was being completed by Abbot Simon at an incredible cost. On the two remaining sides the garden was sheltered by the walls of the infirmary, and of the abbot's lodging, by the windows of which it was overlooked.

In this garden, on the afternoon of the third day of his sojourning within the monastery, Richard encountered one dressed like a sub-deacon, whose tall, spare frame and sharply-marked features bespoke a studious if not an ascetic habit of living, though, maugre his appearance, the stranger clerk's age could not have been above twenty. He was then busily engaged in culling certain herbs, while from others he detached the ripe seed-pods, which he carefully placed in a canvas pouch, and, responding courteously to Richard's salutation, he announced himself as a former scholar of St. Alban's, now in turn the master of the affiliated school at Dunstable, by name Alexander Necham. He further admitted, with a smile, in reply to Richard's inquiry, that he was the same Alexander of St. Alban's, better known to the

outside world as the foster-brother of Richard, the King's son. He also explained that he was visiting the monastery, which he regarded as his adopted home during the long vacation, which, beginning with haytime, would endure till after harvest in the case of lay scholars, and that he had seized this opportunity of pursuing his studies within reach of one of the most famous conventual libraries of England. The young clerk's demeanour and speech, coupled with the reports of his prodigious learning which had been spread amongst the natives of that county, made Richard by no means unwilling to pursue his acquaintance, and therefore he began to inquire of him the nature of his present occupation.

"Truly," replied Necham, "I am desirous of testing the use of these worts with the aid of the good Infirmarer, being hopeful that certain sick brethren will experience great relief therefrom if they be found to contain but a tenth part of the virtues ascribed to them by ancient writers."

"And are you then as skilled in the healing art as in those others which the schoolmen practise?" asked Richard.

"Nay," replied Necham, colouring, "medicine is no art, but rather a craft or mystery; for no true art can be applied to the use of men's bodies, but only for the instruction of their souls; and so I, who am no leech, but a philosopher, or, if you will, a grammarian, admire the works of nature for the sake of moral instruction, using the figures and descriptions of things which have in themselves only a material and perishable nature as the mystical emblems of man's higher nature, which may be either purified or debased by turns, just as herbs or animals may be either virtuous or noxious, according to their various natures and uses."

"So then," Richard interrupted, "you must first exactly

describe these natural objects, that the moral instruction whereof you speak may be understood; and this you were doing even now in the case of certain herbs of which you purpose doubtless to treat in some learned work."

As Richard announced this happy solution of the matter, a deep shade of annoyance gathered upon his companion's brow, while he replied in a querulous tone, as follows :—

"I pray you, sir knight, make an end of your vain suppositions, for believe me that all experiments of man upon natural objects are but a distraction of true philosophy, and as such should be avoided, as savouring of a fleshly appetite. For if I describe yonder rose, I may do so without observing the plant so named by following the approved description of ancient authors; yet if I should choose to pluck the blushing flower itself, and to practise therewith certain strange experiments, revealing many hidden secrets of nature, 'tis yet all one; for the moral adaptation in either case differs only in the number of the similes that an ingenious writer may devise to embellish the original symbolism. Thus the rose, according to all authors, is the emblem of sensual pleasure, which among mortals is inseparable from pain. But if I find that this rose, in spite of its warm hue and its aromatic fragrance, hath in its bosom a refrigerant quality, 'tis but to indicate the power of chastity emplanted in our breasts to enable us to subdue the motions of the flesh. Also, if I should demonstrate that, by holding this flower over a pan wherein sulphur has been kindled, its colour and fragrance will both depart from it, I do but signify the deadly breath of lust that despoils the heart of its natural virtue. Finally, should a thorn pierce my hand in plucking of it, it would point the great moral of a punishment in kind that accompanies an excess of sensual pleasures. Moreover, all such curious experiments may be

regarded in the light of recreation, which is permitted even to the religious in moderation, by the indulgence of their directors."

Richard could not help smiling at the subtle distinctions drawn by the learned clerk in justification of his unorthodox passion for natural research. He was not slow to perceive also that he had to deal with one whose vigorous intellect prompted him to discard the meagre natural history of the age in favour of actual experiment, but who yet shrank from an acknowledgment of the frailty of the idols which were an indispensable article of his education. In default of this license, therefore, the would-be inquirer diverted the activity of his mind into the no less attractive regions of mysticism, embellishing his crude symbolisms with the resources of classical scholarship applied with the practised skill of a man of letters.

Fig. 36.

As they walked together through this pleasant garden, Richard, by dint of judicious questions, led his companion on to descant upon the properties of the several herbs.

"It has been rightly said," Necham observed, "that every wort of the field has power to harm a man or to heal him; and I have noticed that these healing worts are such as usually grow in light and porous soils, and are much exposed to the sun and air; whereas those others, that are counted as

harmful, may be found in dank or marshy places, where they are overshadowed so that they never see the sun. Thus the righteous soul rejoices in the teaching of the Church, and abounds in good works. So the wicked walk in darkness, and their works are evil."

"And which," inquired Richard, "are these healing worts?"

"They are," replied Necham, "chiefly three, namely, those which the goddess Artemis is fabled to have used against all accidents of the chace, and which she revealed to Chiron the Centaur. But besides these, there may be found in this garden divers worts suited to the cure of every sickness that commonly attacks the good fathers; as betony, for dispelling nightmare and for curing sudden giddiness, which herb also was used by the heathen Saxons for preventing drunkenness in their cups. Cress and stile are esteemed a cure for baldness or scurf, which prevails during Lent. Wood-lettuce removes dimness from the eyes of those who copy books from morning to night. The white poppy cures sleeplessness. The smear-wort is for fevers; and there are besides, asterion, a potent remedy for the falling sickness; ever-fern and churmel, for headache and disorders of the liver; while for staying a dysentery, you have but to descend to the river below us, to gather water-lilies for an infusion that never fails in its effect. So, too, if one of the brethren were sent abroad upon business of the house, he would not formerly have failed to carry in his pouch leech-wort, for bite of adder; savine, for bathing swollen feet; wood-dock, for stiffness of joints, with either five-leaf, or madder, or, best of any, way-bread, to heal all sickness or sores by the way. At this day truly none of the house stirs abroad on foot or without a serjeant to carry his valise, so that a warm posset at his journey's end is the

only leechdom that he needeth. But, alas! I have neglected to unfold the moral instruction that is contained in the properties of each of these plants, and which, as I have told you, is the true end of all such curious knowledge. This betony, then, which has more virtues than any other herb, for all that it is so sadly arrayed, is the very emblem of humility——"

"Nay, Master Necham," exclaimed Richard, "I will by no means abuse your patience by requiring of you the instruction that you have named, more especially since the heat of the sun is somewhat over-great within this enclosure, and the murmur of bees, or perchance the scents of yonder white poppies, have unfitted my senses for receiving your discourse. Therefore, if you will be pleased to accompany me to the shade of yonder willows by the river side, I doubt not that we shall converse more at our ease."

FIG. 37.

Ten minutes' walk through fruitful orchards and vineyards, in the course of which Necham found much to say respecting the mysteries of grafting and pruning, and the chemical and edible properties of the several fruits in use, brought them to the margin of the fair stream, where, as soon as they were seated on the projecting arm of a giant willow overhanging the water, Necham turned the conversation upon the nature of fishes by an admiring reference to the enthusiasm shown by Alexander the Great in exploring the secrets of the deep,

immured in a vessel of glass. He then proceeded to enumerate the several kinds of fish that frequented this river, and to describe their several habits and the lures with which they might be taken, together with instances that had fallen within his notice of their sensitiveness to certain colours, odours, and noises. The question of the age of fishes led him to describe the attempts of the Romans in the direction of pisciculture, as well as the several methods then in use, together with a device of his own for the improvement of fish-stews, by hatching ova placed in artificial beds.

At length Richard, fearing lest this interesting discourse should be converted into moral instruction, begged his learned friend to give him his opinion of the effect and lawfulness of charms as far as they were indirectly connected with the healing art. Necham, however, disclaimed all knowledge of the subject, although he admitted that the superstition in question was generally entertained by ancient writers, while it was so deeply rooted in the vulgar mind, and particularly amongst the Anglian race, and that a certain tenderness had been shown to it in the ministrations of the Church.

"I could have shown you just now," he added, "a millstone sunk into the ground on that side of the herb garden where the hives are ranged whereon is graven the circle of St. Columbkill, with the figures of a charm for bees to swarm duly; and again I have heard a certain gardener, who is a Saxon by blood, sing these words in the season of swarming:

'Sit ye, my ladies, sit;
Sink ye to earth down;
Never be so wild
As to the wood to fly.'

Also I know that the herds, at the time of folding the cattle at nightfall, use commonly to sing the 'Ter-Sanctus' for the

prevention of the murrain. But such base superstitions and many others that form the principal portion of our leeches' art, are not now justly to be included in the science of nature, as neither are they warranted by the teaching of the Church. Rather the evil spirits which are allowed thus to torment us should be exorcised by the priest appointed to that office, and besides the faithful should be enjoined to assist the sufferers with their prayers."

"Now truly," observed Richard, smiling, "you put me in mind of a story that was once told me of a certain courtier, who being tormented for his sins, which had been great, with the voices of evil spirits tempting him, in order to avoid this enchantment, entered into a religious house. Whereupon the holy abbot appointed the clapper to be struck at all such times as the fit was upon him, to call the brethren to his chamber, as though to pray for one *in extremis*. But after two days and two nights, during which the clapper was heard almost continually, so that the brethren could watch no longer for very heaviness, they desired him to depart from among them."

Necham listened to this anecdote with an unmoved face, and replied that probably this was an extreme case, and that he was inclined to reject the common opinion concerning evil spirits taking upon themselves the corporeal form of men or women for the purpose of tempting mortals with carnal lusts; and he was preparing to discuss with great learning and with frank details the vexed question of the infernal procreation of the wizard Merlin, and of the substantiality of a certain woman fiend who had lately disturbed the peace of mind of the brethren of Evesham, when Richard, who foresaw an interminable citation of authorities and precedents in point, adroitly drew his companion's attention to a new and irre-

sistible topic, the scholastic learning of which he was such a famous exponent.

"The matter you have here proposed," Necham began, embraces two separate reflections—namely, as to the subjects of learning, and next as to the methods of teaching. And as to the first of these, you are doubtless aware that there were anciently three Arts—Grammar, Dialectics, and Rhetoric—which alone were held worthy of the name of science ; and that now four others are added to these (making together the number of the seven planets which they respectively resemble)—namely, Arithmetic, Music, Geometry, and Astronomy. All these, then, as yet form two separate courses of instruction, though a knowledge of both is necessary to a liberal education if we would rightly distinguish the true from the false, which even as to theology may be most readily effected by the rules of geometry. It is to be noted also that Aristotle himself was a geometrician before he became a rhetorician, and that he professed none of the sciences that he adorned so plainly as that of medicine, which some take to embody the substance of the Quadrivium, as law does that of the Trivium. For of what use is it to men to avoid solecisms in speech and writing, if they shall make greater errors in the description itself? Again, by the abuse of rhetoric, the whole art is devoted to misrepresentations and shameful accusations of an adversary ; while dialectics, which were designed to distinguish the true from the false, are now chiefly devoted to maintain that which is contrary to the truth, in order to win the popular applause. For as you have seen a jougleur perform his feats of skill in hall, deceiving the senses of his audience beyond belief, so also do our masters with their subtle questions and syllogisms ; and as the one trains his ape to take several human attitudes at his com-

mand, so the others dispose their good man Sortes at their pleasure, to be the same or not the same, or what not else. All which subtleties, besides being wholly vain, are also an offence to pious students. Thus they will argue by the method of the sophists that a just judge will not punish eternally for a momentary misdoing; but God is a just judge, therefore neither will He punish thus. And again, that it is never too late to repent; but you are young, therefore it is too soon to repent. And again, that a lion cannot rise from the dead; but man is weaker than a lion, therefore neither can he rise again. So too these masters will argue as to whether Mary Magdalene could have rightly supposed Jesus to be the gardener; or whether Jacob truly knew Leah instead of Rachel. Thus they harden their hearts with the pursuit of empty applause, so that they desire nothing better than to disprove every doctrine that is commonly believed, not observing that they assume as much by denying it as those who maintain it.

"And indeed I have heard of such a one, of great repute in the schools at Paris, who being at the point of death refused to admit the resurrection unless the certainty thereof could be proved to him by the law of dialectics. Whereupon a fellow of his who believed, proposed this case to him: 'If you believe that there will be a resurrection, either it will be or it will not. And if you believe that it is to be, and it is not, this belief will not injure you. And if you believe that it is to be, and it is, this belief may save you eternally. But if you believe it is not to be, and it is, this disbelief may damn you eternally. Therefore, by the law of dialectics, it is better for you to believe than to disbelieve.'

"But to return. These arts, as you know, are publicly taught in the great schools of Paris and Oxford, whereof the

former is the greatest abode of the liberal arts and theology. Medicine and law flourish especially in Italy, namely at Salerno and Bologna ; but the schools of France are little inferior to these. Only we in England have no native school of civil or canon law, nor of medicine, wherefore foreign nations say openly that our senses are dulled by our English beer, since these sciences are such as demand great acuteness of perception. But rather I say the English law, which is built up of precedents and customs, permitteth no other to be studied beside it, for the study thereof is for a man's life, and for the rest it is meet that Italian lawyers should plead in our ecclesiastical courts, which are but provincial courts of the Roman Curia. But as to medicine, you will know that it is not the most learned master that makes the holiest priest, nor those who are the most expert disciples of Hippocrates and Galen that work the best leechdoms.

"And besides these great schools, there are those connected with every great church throughout the country, since it is not enough to clothe and feed God's poor without caring also for their souls, and especially for their children's welfare. Such are the famous schools at London and Winchester, and my own of Dunstable. In all these the liberal arts are taught, according to the capacity of the scholars, and as to this I will tell you that they tread very closely upon the heels of their elders. For there is none so young among my own who could not inform you that if there should be two armies arrayed against each other, one having a single white soldier and the rest black, and the other a single black soldier and the rest white, then each of those armies in every respect resembles the other. And yet this proposition not many years since was maintained at Paris to the astonishment and delight of all. But in these lesser schools, and especially in England, Latin

is at first chiefly taught out of a common author, and each teacher places glosses upon the text according to his need, and thence they proceed to the reading of the poets."

At length Necham reminded his companion that the customary interval for recreation amongst the students was spent, and that he must now return to his self-imposed task. He added, however, that if the lord of Anesti wished to inspect the *scriptorium* and library of the monastery, he would gladly escort him thither. Richard joyfully accepted this invitation, therefore returning to the cloisters they entered the

Fig. 38.

scriptorium, a large solar orginally, set apart for this purpose, as Necham explained, by William de Hatfield in the time of Abbot Paul, who assigned a portion of the tithes of his demesne for the provision of books to the use of the monastery, in return for which benefaction the said Abbot furnished the chapel of Hatfield House with rich vestments and other necessaries. Several of the best scribes in England, Necham continued, were henceforth employed (at least under worthy Abbots) in compiling or copying books of every descrip-

tion. This good work was especially advanced under Abbots Godfrey and Robert, and reached its highest perfection in the time of the present Abbot Simon, who not only repaired the scriptorium and constructed a general aumbry to contain the books of most value, but employed several additional scribes at his own charge in his private chamber.

In the *scriptorium* they found two or three professional scribes working at desks placed in the windows, together with an equal number of monks engaged upon histories of the Abbey or lives of the Saints. Richard approached the desk of one of the former class of workers, and with his permission examined his manuscript which he found to consist of a copy of the history of Geoffrey the monk, beautifully illuminated. One of the regular brethren, known to the learned world as William of St. Albans, was engaged in appending to his history of the Passion of St. Alban, compiled it was said from a contemporary British author, a minute narrative of the recent Invention of St. Amphibalus ; while another monk, by name Ralph of Dunstable, was treating the same subject in elegiac verse. From the *scriptorium* they proceeded to the library, which, as previously stated by Necham, consisted merely of a painted wooden press fitted with bookshelves, and situated in a re-

Fig. 39.

cess within the church, facing the tomb of Roger the Hermit. Here there were some hundred books of all sizes and upon almost every subject, though the larger number treated of theology, including a copy of the Vulgate, sumptuously illuminated, the Gospels and Epistles, Missals and similar service books, together with many secular authorities, especially upon the civil and canon laws, Annals and Chronicles of England and Acts of the Saints. Necham, however, was careful to observe that this library was far from representing the whole literary resources of the monastery, since probably an equal number of books might be discovered in the aumbries of the cloisters, or in the chamber of the Abbot, Prior and lesser officers of the house; while some were lent out to secular clerks, both in the town, like Master Warren, the learned preceptor of the school here, or abroad, or even to neighbouring monasteries in exchange for others that were required to be copied. The Precentor also had a large store of rolls and unbound manuscripts, besides a collection of Graduals and ancient and modern music, while the cartularies and other muniments of the Abbey were stored in the treasury, under the care of the Sacristan. After they had quitted the Church Necham took his leave of Richard, to return to his labours in his own study, one of several chambers built over the cloisters, and set apart for this purpose.

CHAPTER XIII.

ST. ALBAN'S.—A MARTYROLOGY.

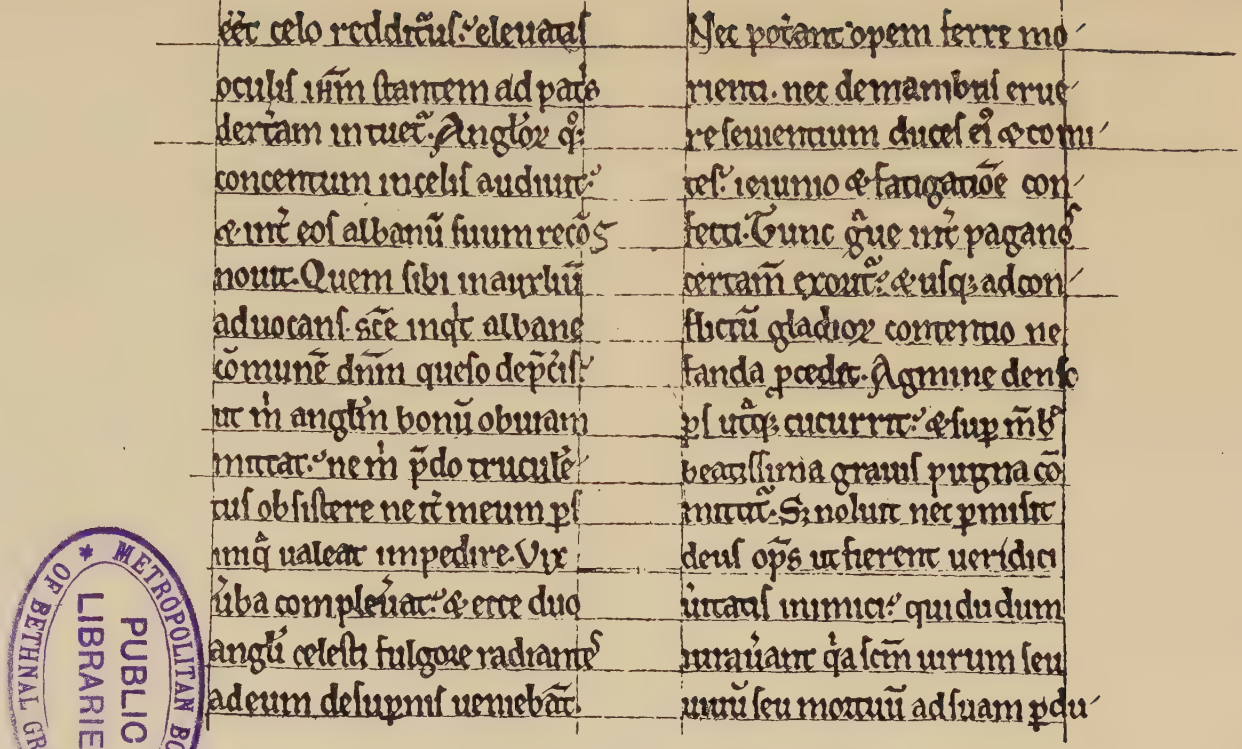
TWO days after the conversation related above, Richard was made acquainted, in an unexpected manner, with the martyrology of the Saint whose Invention was the topic of immediate interest. The incident came about in this way. Ever since his arrival in the monastery, he had been invited each day by the abbot to sit at his own table at dinner, where he was joined by a number of guests, distinguished for their rank or learning, who had been attracted to St. Alban's by the rumour of the approaching festival. Here, on a lofty dais in the middle of the upper table, the abbot sat, with his guests on either hand, the brethren being seated at side tables against the walls. After grace had been sung, the dishes were carried in from the kitchen in constant succession to the upper table; while the brethren, who were waited on by the novices, were forced to be content with the prescribed regimen of pottage, to which were added, on holidays, furmety, fritters, cakes, and other light viands. But though their fare was meagre, there was no stint in the quantity supplied; and the officers of the cellar, buttery, and pantry were kept busily employed in serving the large coarse loaves and capacious flagons of ale which each of the brethren in priest's orders claimed as his due allowance. Speaking being especially prohibited in the refectory, Richard was amazed to observe the shifts resorted to by certain brethren to make

their wants known, especially when any extra dishes were provided, such as rapping on the board with the haft of a knife or the bottom of a wooden drinking cup, and even snapping the fingers, whistling, and many like signals. However, on the occasion in question, these manifestations of deference to a carnal appetite gave place to a rapt attention to the lecture of the usual passage of a martyrology from the desk; for, by a general request made by the brethren to the Prior in chapter that morning, the history of the Passion of St. Amphibalus, as recently completed by brother William, was appointed to be read during dinner as the fitting preparation for the vigil of so great a feast. Moreover, besides the present interest of the subject, the work had long been anticipated as one likely to enhance the reputation for learning which the house had so long and so deservedly enjoyed, but which, in the matter of history at least, had been somewhat eclipsed by the recent fame of Ely, Peterborough, and Durham, to say nothing of the more courtly attainments of the writers of Canterbury and St. Paul's. Accordingly, the reader having received the precious manuscript from the hands of William the monk, read aloud the chapter in which the passion of the Saint was narrated as follows:—

"As soon as they had heard these words, they run in upon him from every side; they arm their cruel hands with stones; they rage impiously to shed the innocent blood, and labour with all their might to cast out his blessed spirit. But although a hail of stones beat fiercely upon the heavenly martyr on all sides, he yet remained unmoved in his attitude of prayer, nor did he sink beneath it even for the space of an hour. At length, when he was about to render up his unconquered soul to heaven, raising his eyes he saw Jesus standing at the right hand of the Father, and heard the song of

eet celo redditus: eleuatis
oculis ihm stantem ad patris
dextram intuet. Angloꝝ q:
concentum in celis audiuit:
& int eos albanũ suum recõs
nouit. Quem sibi in auxiliũ
aduocans. scẽ inqt albane
cõmunẽ dnm queso depcis:
ut m anglm bonũ obuiam
mittat: ne m pdo truculẽ
tus obsistere ne it meum ps
imq ualeat impedire. Vix
uba compleuat: & ecce duo
angli celesti fulgore radiantes
ad eum de supnis ueniebãt.

Nec potant opem ferre mo
rienti. nec de manibus erue
re seuientium duces ei & comi
tes: ieiunio & fatigatiõe con
fecti. Tunc gue int paganos
certam exoritur: & usq; ad con
flictũ gladioꝝ contentio ne
fanda pcedit. Agmine denso
ps utrq; cucurrit: & sup mb
beatissima grauis pugna cõ
mittitur. Sz noluit nec pmisit
deus ops ut fierent ueridici
uitatis inimici: qui dudum
iurauant qa scm uirum seu
uiuũ seu mortuũ ad suam pdu



THE PASSION OF ST. AMPHIBALUS.

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the angels in heaven, and amongst them the voice of his Alban, and called to him for succour, saying, 'O holy Alban, I pray thee to entreat our Heavenly Father, that He may send one of His good angels to meet me, that the cruel robber may not prevail to stay me, that the wicked may not hinder my journey.' Scarcely had he spoken these words, when, lo! two angels, radiant with divine splendour, came down to him from on high, and a voice, too, was heard speaking to him from heaven: 'Amphibalus, I say unto thee that this day thou shalt be in Paradise with thy disciple.' Now the heathen, when they heard this heavenly sound, stood amazed; and so the angels, taking with them the spotless soul of the blessed martyr, bore it up to Heaven with hymns and psalms of praise. But still the furious heathen ceased not to heap stones upon the lifeless and fettered body; nor were his companions able to lift his dying head, nor to rescue him from the hands of his murderers, being spent with fasting and weariness. Then there arose a sore contest amongst the heathen, and the impious strife proceeded soon to the drawing of swords. The conflicting parties rushed upon one another, and a fierce battle was fought over the blessed martyr's body. But Almighty God did not desire or permit that the enemies of the truth should be justified, who had before this sworn that they would take the man back to their city alive or dead. For, as the tumult increased, and the heathen were fighting amongst themselves, a faithful believer in Christ, bearing away the blessed martyr's body by stealth, conveyed it carefully beneath the ground, where now at length, by the Divine will, it has been brought to light."

At the conclusion of the lecture, by which many of the listeners were visibly affected, the sub-prior gave the signal

for the grace-cup (a massive two-handled silver chalice filled with mead) to be passed round, after which all the brethren rose and bowed towards the east whilst grace was being sung, and quitted the hall two and two, as they had come. Richard de Anesti and the abbot's other guests, however, were invited into an inner chamber, where they were regaled with choice wines, together with dried fruits and pastry, and other delicates, by their host's seneschal, and so were left to dispose themselves in sleep or converse, as they might desire. During which after-dinner entertainment Richard heard much that was both curious and instructive in the conversation of these distinguished courtiers and scholars. At one time concerning the foundation and subsequent history of this and other monasteries, and especially those of the Cistercian order, which were little known in these parts; of the saint in whose honour such or such an abbey was founded, and of the miracles performed by him alive and dead, and the invention or translation of his relics; of the constitution of a monastery, and its benefactions; of the good works of divers abbots, and how this one rebuilt the church or chapter-house from its foundations, and that other added a chapel or a tower, an aqueduct or a granary. How all contributed bells or rich vestments or plate. How one was a patron of art, and beautified the shrine by the hands of cunning workmen; another of letters, and maintained scribes to copy books at his own charge. Then of the evil works of the abbots who spoiled the Church of its riches to purchase lands and build their country houses, and wasted the revenues of the community, so that the brethren were forced to lie in bed for lack of clothes, and to go abroad and ask alms for their sustenance. Of the great cause in which the abbot and convent were engaged before the King's Court or the papal commissioners with a neigh-

bouring earl, who had disseised them of their lands, or with the bishop of the diocese, who claimed the right of visitation; and of the great debt to Aaron the Jew, which they had incurred through these proceedings. Lastly, of the factions among the brethren themselves, and how at St. Alban's the brothers of Warren and their party influenced the elections to all the offices of the house, and even aimed at obtaining the reversion of the abbacy.

At another time their talk was of the wonders of that day, the legend of the wandering Jew, or of Prester John, or of Saladin, and, amongst other things, of the holy lives of several famous hermits, concerning one of whom, St. Godric, of great repute in the north country, and not long since dead, a monk of Durham gave them the following information.

"This Godric," he said, "was, even from a boy, indifferent to the things of this world, and accustomed to hold communion with invisible beings. Therefore, soon after he had reached man's estate, he left his merchandise to go on pilgrimage to many holy cities on foot, and carrying his aged mother on his back. And twice he fared to Jerusalem, and at length returning to his own country, he became a hermit at Finchale, where he lived in the wilds, with serpents and wolves for his companions, eating only herbs, and sleeping always on the ground, with a great flat stone for his pillow, whereon he also used to prepare and eat his food. And he chose to sleep thus because of the devil, by whom he was grievously tormented, ever seeking to take him unawares, sometimes approaching him in the shape of a wild beast, or of a monstrous fowl, or even of a loathsome toad; but with the sign of the cross he was ever put to flight. Therefore Godric slept little, and by night not at all, at which time he might be seen, even in winter, standing for a long while in

the river up to his neck, in order to escape the attacks of his enemy. And once the devil in a rage seized upon his garments, and would have borne them away, but Godric called out so loudly that he dropped them and fled. On the other hand, he was often blessed with angelic visions, for once the Virgin Mary and St. Mary Magdalene appeared to him as two forest maidens, and taught him a song in the Saxon tongue, which thereafter he sang continually. And again, as he sat in his cell, he saw one day a tiny babe creep forth out of the head of a great figure of Christ crucified, and descend into the lap of the holy Virgin, who seemed to embrace and cherish it. He also had the power of seeing the spirits of men as they left their bodies, being wont to say that the spirits of the good had the shape of a white dove, and those of the wicked that of a black crow. But towards the end of his life, Godric, being old and feeble, was forced to keep his bed, and to accept the ministrations of his devout neighbours, and being thus helpless, the devil sought all the more fiercely to destroy him, so that he dare never sleep when he was alone, lest the enemy should surprise him before he could make the sign. At length one day, when the watchers had left his side, they heard a great noise and an outcry, and returning, found Godric stretched upon the floor, who, when he revived, told them that his eyes being heavy, he had closed them for a moment, when immediately the devil assaulted him, and treated him thus; and not long afterwards he died." This monk, whose name was Reginald, told them also many of the miracles performed by Godric, which were the cause of his name being so greatly revered in the north parts. Besides this (he added), the fierce aspect of the holy man, and his rough speech, caused all to stand in awe of him. And he himself, wishing to write Godric's life, approached him once

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THE KING AND THE HERMIT

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to know his mind therein, who answered him thus: "This friend is the life of Godric, and if you can think of anything worse, I command you to write it. Formerly a blowsy peasant, plausible, greedy, lecherous, perjured, a usurer, forger, and rogue; now a filthy hound, a hypocritical hermit, a devourer of fools' alms, lazy and bloated, vainglorious and ambitious, and so passionate, that he is always tempted to beat those who vex him with idle questions."

At length the morning dawned of the great day so anxiously expected both by the religious and laity, and even before daylight all the domestic officers were astir preparing the customary good cheer in honour of the Saint's anniversary, and to which there was now to be added provision for feasting all the poor and infirm of the city. In the Church, special masses were appointed for the occasion, and processions bearing the most sacred relics of the Abbey passed at frequent intervals through the alleys and chapels, pending the removal of the Saint's relics, to effect which a chosen party had departed at an early hour towards Redbourne, accompanied by the Abbot, the Prior, and several of the monastic officers. Ever since the Invention, the tomb containing the relics of the martyrs had been guarded by several lay brethren and serjeants, superintended by the priests of St. James' chapel hard by Richard had already paid several visits to the scene, which he found to his dismay closely resembling a fair; for following in the footsteps of the pilgrims, who had for days past been flocking hither in ever-increasing numbers, many pedlars and even cooks and ale-wifes had erected booths, and were plying a busy trade in relieving the necessities of the faithful. The Abbot had vainly attempted to suppress this scandal by enjoining a general fast, with attendance at the special services of the church, which had been arranged for the occasion; but

the popular excitement had now reached an uncontrollable pitch through the fame of the miracles which were wrought almost hourly amongst the frenzied crowd of sick or crippled poor, and by the fervid preaching and prophesying of several wandering priests and hermits, who enjoyed a greater reputation for sanctity than for sanity. Among the miracles vouched for at this time by the inmates of this disordered camp was that of a certain woman who, having borne no children during ten years of marriage, was afterwards found to have been rendered fruitful by the divine afflatus of the sepulchre on which unknowingly she had chanced to repose, with many more cases of the like nature. On the other side the brethren engaged in the task of watching the tomb and of clearing the ground for the approaching excavation, had strange tales to relate of the interposition of the saint on their behalf. A certain man who had been loud in his ridicule of their watchfulness, at length sought to evade it by approaching the mound under cover of the darkness, with felonious intent, but by the way he was met by the Evil One, who would straightway have carried him off had not the brethren, hearing his lamentable cries, run to his help, by whom he was found stripped of his clothes and seemingly demented, so that hardly with bonds and scourging was he restored to his right mind. Lastly, this further miracle was wrought in the light of day, and before the eyes of all who were present there; for a certain trader of Dunstable, who had brought for sale a ton of cider, being adjured by a poor cripple for the love of the Saint to bestow on him a cup, the heat at that time being very great, replied scornfully, that he valued not the Saint's blessing but only his custom, at which words both ends of the cask suddenly burst open, and the liquor ran forth amongst the crowd of thirsty poor folk, who,

falling upon their faces, were able to drink thereof to their full contentment.

Meantime, the search party from the monastery, with the co-operation of a large band of auxiliaries, laid open the tomb in which the bones of the martyrs were revealed disposed as when they were first laid there. As soon as this work was completed, a messenger was despatched in haste to summon the Abbot, who had returned again to the abbey, on whose re-appearance the bones were reverently folded in linen shrouds and conveyed in joyful procession to the monastery. When half the distance had been traversed, a second procession was seen coming towards them, formed of a number of townspeople, headed by the monks bearing the sarcophagus of St. Alban ; and this procession joining itself to their own, they continued their journey in the same order as before, with the bodies of both Saints borne before them, as far as the Church, where a service of thanksgiving was performed, attended by several thousands of worshippers, who afterwards dispersed, in order to conclude the day with becoming festivities.

CONCLUSION.

RICHARD DE ANESTI, whom we left at St. Alban's, would have set out from thence, we may suppose, on his homeward journey at the close of the great festival described in the last chapter.

We know practically nothing of his history beyond this date, except that he contrived to pay his debt at the Exchequer, and that he died some time about the end of the next reign, having thus outlived his official friends.

Ranulph de Glanvill, disgraced and long since dead, Richard de Luci, become a monk like his brother, and Richard, the King's Treasurer, lately Bishop of London.

Then Hubert his son reigned at Anesti in his stead, and a new era of official activity begins at the Exchequer and in the King's Court and Household, the results of which are recorded in the great precedent book compiled by Swereford, and in the series of stately Rolls which is continued down to this very day.

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APPENDIX.

NOTES TO THE ILLUSTRATIONS.

FRONTISPIECE.

(1) PLANTAGENET KING HUNTING. From the Cotton MSS. Claudius, D. ii. Probably temp. Edward III.

This illumination occurs in the "Laws of King John," but is of course purely conventional.

(2) HENRY II. DISPUTING WITH BECKET. From the Cotton MSS. Claudius, D. ii., in the "Laws of Henry II."

There is another copy of this illumination in the same MS.

PLATE I. JEWISH BOND OR "STARR." From Cartæ Antiquæ (Augm.), D.d., No. 58.

A "Starr" is properly the acquittance or acknowledgment executed by a Jew in respect of a debt. The only surviving "starr" strictly contemporary with the present narrative, is known to us only from an entry on a later Pipe Roll. Several acknowledgments of indebtedness to Jews executed by Christians exist for this period, one of which has recently been printed in Vol. 10 of the Pipe Roll Society's publications. The document reproduced here is one of the earliest Jewish conventions extant, being dated in the seventh year of John. It was unknown to the editor of the collection of Jewish charters recently published under the direction of the Committee of the Anglo-Jewish Exhibition.

PLATE II. PLANTAGENET KING AT TABLE. From the Abbreviatio of Domesday in the Public Record Office.

This Plate, with Nos. 5 and 6, is taken from the well-known group of 6 coloured plates in the beautiful MS. above named. The date of these illuminations has always been in doubt, but although they bear a superficial appearance of great antiquity a careful examination will lead to the conclusion that they are not earlier than the middle of the 13th century. The compilation which gives this title to the MS. was probably the work of a Westminster scribe, and the illuminations in question are apparently contemporary with the text though separately drawn on the fly leaves of the volume. The subjects of these illuminations are undoubtedly taken from Ailred of Rievaulx's "Life and Miracles" of the Confessor. Ailred himself took his narrative almost literally from the earlier "Life of the Confessor" by Osbert Prior, of Westminster, the occasion

of both these histories being the canonization of King Edward, 1163. In the same way the subsequent translation of the Confessor's remains in the middle of the next century inspired the magnificent Norman French poem on the same subject, which is well known through Mr. Luard's excellent edition in the *Rolls Series.* It is probable, therefore, that the fame of this translation was the cause of a scribe of the Church of Westminster beautifying the abstract of Domesday Book on which he happened to be officially engaged with these scenes, since the subject was one that involved frequent reference to the name of the saintly king. The archæology of the illuminations in the *Abbreviatio* appears however to be of somewhat later date than in the case of the French poem, and they may, therefore, be more probably assigned to the close of the reign of Henry III.

PLATE III. RICHARD DE ANESTI'S ACCOUNT OF HIS LAW-SUIT. From the Ancient Miscellanea of the Treasury of the Receipt, No. $\frac{60}{43}$.

This fine MS., which is in some respects the most important legal document in official custody, is written on a roll of about 18 inches in length and 12 inches wide, in double columns. The hand is not distinctly clerical, and may well be, as Palgrave supposes, that of Richard de Anesti himself.

PLATE IV. PAPAL BULL. From Bdle. I, No. 5, Chapter House Papal Bulls.

This is the actual bull of Pope Alexander III. referred to in the narrative of the Anesti case. It has been found necessary to reduce the original size of the MS. considerably, and at the same time it should be mentioned that it is considerably mutilated.

PLATE V. PLANTAGENET KING AT MASS. From the Abbreviatio of Domesday.

This illumination in the original MS. is supposed to represent one of the miracles of the Confessor; namely, the apparition of the child Christ visible in the consecrated wafer. This vision was revealed both to the king and to Earl Leofric. The author of the metrical Life however represents these as seated or kneeling at the time, instead of assisting at the altar.

PLATE VI. THE PASSION OF ST. ALBAN, ST. AMPHIBALUS, AND THEIR FELLOW MARTYRS. From the Cotton MSS. Faustina, B. IV.

This martyrology, which had a great repute in its day, and which was founded on a subject of greater popular interest perhaps than any other except the life of St. Thomas, is believed to be the work

of a monk of St. Alban's named William, who compiled the life and miracles of these patron saints of his church during the presidency of Abbot Simon.

The author professed to have derived his information from a native source, which may either refer to the narrative preserved by Bede or to a mysterious book mentioned by Matthew Paris.

Although there is no evidence whatever that this MS. was the original copy of the Passion in use at St. Alban's, there are several indications that it was the work of a scribe of that house. Another early copy is preserved in the Library of Magdalen College, Oxford, but in this the details of the miracles and other matters of local interest are incomplete. I am strongly inclined to the opinion that the former MS. is the actual history of William of St. Alban's in his own hand, read in the Refectory on the occasion described in the text. This MS., it will also be observed, concludes abruptly with the Invention of the body of St. Amphibalus, and is without the Epilogue which appears in the Oxford MS.

PLATE VII. THE KING AND THE HERMIT. From the Abbreviatio of Domesday.

Another miracle manifested to the Confessor is the subject of this illumination.

The Hermit portrayed here was really St. John the Baptist, who, in the guise of a palmer, obtained the king's ring by his importunity. The scribe would seem to have been familiar with the appearance of such palmers, who would be commonly seen during the last Crusade, but scarcely much later than the year 1274.

FIG. 1. VINE PRUNER. From the Chapter House, Liber B. Temp. Edward I.

One of the symbols for Gascony at the Exchequer.

FIG. 2. GRAPE PICKER. From the Liber B.

Another symbol for Gascony at the Exchequer.

FIG. 3. PLOUGH TEAM. From the Cotton MSS. Julius, A. vi.

This and the three following cuts are taken from drawings found in an Anglo-Saxon MS. Book of the Seasons. Some of these drawings have been reproduced before, but only from the copy known as Tiberius, B. vi., in which the figures are considerably larger and bolder, while the execution is perhaps less delicate. The date of these MSS. is probably the end of the 10th century. At any rate they must be regarded as the work of a purely British school unaffected by French influence

FIG. 4. SHEPHERDS AND FLOCK. From the Cotton MSS. Jul., A. vi.

FIG. 5. SWINEHERDS AND SWINE. From the same.

FIG. 6. THRESHER. From the Royal MSS. 14, C. 7, fo. 118.

Drawn by Matthew Paris himself. Original coloured in outline.

FIG. 7. CITY OF LONDON. From the same. The Itinerary to Jerusalem. By Matthew Paris. Original coloured.

This is one of the synoptical views common at the period. The principal buildings shown are the three great churches mentioned in the text, Westminster Palace, the Tower, the river, and the bridge. The position of the city gates is however rather hopeless.

FIG. 8. SHIP AND CREW. From the Chapter House. Liber. A. Temp. Edward I.

FIG. 9. AARON, SON OF THE DEVIL. From the Forest Roll, Essex. 5 Edward I. Caricature of a Colchester Jew.

This important drawing was reproduced by photography for the Catalogue of the Anglo-Jewish Exhibition, where it is the subject of an interesting note. It has been drawn here from the original roll.

FIG. 10. BAKER AT WORK. From the Guildhall MSS. Assisa Panis. Temp. Edward I.

FIG. 11. BAKER DRAWN TO THE PILLORY. From the Assisa Panis.

Both these curious sketches have been reproduced in facsimile in the Munimenta Gildhallæ (Rolls Series).

FIG. 12. ARMS OF NORWAY. From the Liber A.

The Symbol for Norway at the Exchequer.

FIG. 13. BEARBAITING. From the same.

In this curious drawing, a clerk named "Haverhulle" has represented a youth named "Tumbo" as in the act of leading (or teasing) a muzzled bear, named Bosse, whose growling is represented by the word "Moee."

FIG. 14. FALCON AND COURSING DOG. From the Abbreviatio of Domesday. The original drawing is coloured.

FIG. 15. HOB-GOBLIN. From the Abbreviatio of Domesday.

FIG. 16. SAME. From the same.

FIG. 17. SAME. From the same.

FIG. 18. SAME. From the same.

FIG. 19. ECCLESIASTICAL COUNCIL. From the Royal MSS. 14, C. 7, fo. 126.

Drawn by Matthew Paris.

FIG. 20. CAVALIER. From the Liber A.

Running at the quintain. The symbol for Arragon at the Exchequer.

FIG. 21. THE ORDEAL OF BATTLE. From an Assize Roll. Temp. Henry III.

The fragment containing this sketch was discovered some years ago by the author amongst a heap of refuse where it had probably lain from the time of Madox, who used it for the fine engraving in his History of the Exchequer. The fragment thus discovered was repaired and restored to a place of safety, the author having taken steps to obtain a drawing from the original for the present work. In the meantime a legal journal obtained a reproduction of it, and shortly afterwards the entire heading of the fragment was photographed on behalf of the Selden Society, appearing as the frontispiece of vol. i. of its publications.

FIG. 22. HENRY BISHOP OF WINCHESTER, PAPAL LEGATE. From the Cotton MSS. Nero, D. 7, fo. 87ᵇ.

This prelate was one of the benefactors of St. Alban's, of whom an illuminated roll is preserved in this MSS., which is of the date of the close of the 14th century. The original drawings are coloured; the flesh colours being particularly fine.

FIG. 23. DOVER CASTLE. From the Royal MSS. 14, C. 7.

The Itinerary to Jerusalem, by Matthew Paris.

FIG. 24. PARIS AND ST. DENIS. From the same.

FIG. 25. POPE PRESENTING BULL. From the Liber A.

FIG. 26. CHESSBOARD. From the Memoranda Roll, 19 Henry III.

The symbol of the Exchequer counting-table.

FIG. 27. EXCHEQUER TALLIES. From the originals at the Public Record Office.

These, with several other tallies, were photographed to form a plate in the Introductory Volume (3) of the Pipe Roll Society's publications. They have been drawn here from the originals, which are of about the date of the close of Henry III.'s reign. The inscriptions will be found deciphered in the volume above referred to.

FIG. 28. ST. JOHN THE EVANGELIST. From the Black Book of the Exchequer (vol. i.).

St. John is represented here as an Exchequer scribe. This was one of the recognised symbols of the four evangelists, all of whom are portrayed in this MS., which is of the latter part of the 13th century, as well as in much earlier MSS.

FIG. 29. BESANT OR BYZANTINE COIN. From the British Museum collection.

A gold coin, probably the depreciated *solidus* of the Eastern Empire, which was occasionally paid into the Exchequer by Jews or

alien merchants. These Besants, though regarded with great disfavour by the officials of the Exchequer, seem to have been readily enough accepted by the King in the treasury of his chamber as fines for licenses or other concessions, since probably he was able to dispose of them in his continental expeditions.

FIG. 30. SILVER PENNY OF HENRY II. From the British Museum collection.

This, as explained in the *Dialogus de Scaccario*, was the only coin in use at the period, and therefore the word "penny" stood for money generally. The coin reproduced here was struck by Isaak, the moneyer of York. It is possibly due to the frequent employment of Jews as moneyers that the kings of the Norman and early Plantagenet period are represented with such a fierce aspect. Ralph Niger's description of the relations between this King and the Jews are well known, and is probably as true on the whole as Madox's pithy version of similar relations under King John. There was a mint at York which was repaired a few years later than this on the issue of a new currency.

FIG. 31. A SCOTCH FOOT-SOLDIER From the Liber A.

This description of the drawing is based on the fact that it stands as one of the symbols for Scotland at the Exchequer. A good deal of information with respect to the equipment of foot soldiers, who were largely composed of Celtic mercenaries, may be gathered from the Wardrobe Account of Edward the First's reign published by the Society of Antiquaries of London.

FIG. 32. A WELSH FOOT-SOLDIER. From the Liber A.

FIG. 33. AN IRISH FOOT-SOLDIER. From the same.

FIG. 34. A WELSH ARCHER. From the same.

FIG. 35. ADAM THE SACRISTAN OF ST. ALBANS. From the Cotton MSS. Nero, D. vii.

This was the officer actually holding office at the monastery at the date of our narrative.

FIG. 36. *Lactuca Leporina.* From a 12th century Herbal in the King's Library, British Museum. No. 78.

FIG. 37. ST. SWITHIN. From the Liber A.

FIG. 38. WILLIAM FITZSIMON, LORD OF HATFIELD. From the Cotton MSS. Nero, D. 7.

From the Roll of the benefactors of St. Alban's.

FIG. 39. SIMON ABBOT OF ST. ALBAN'S. From the Cotton MSS. Nero. D. i.. fo. 48^b.

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NOTES AND REFERENCES TO CHAPTER I.

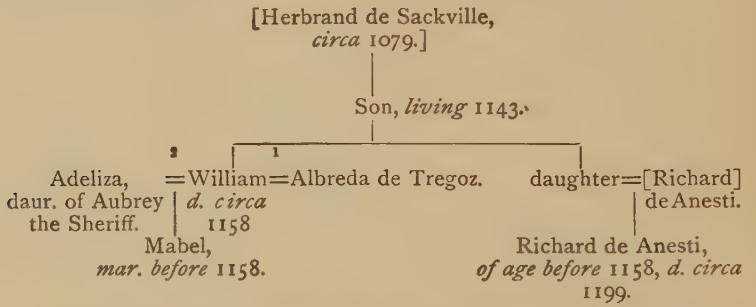
1. The Family of Anstey.

The descent of the family of Anesti, or Anstey, has been preserved among the genealogies of the noble families of Essex, which were associated in the twelfth century with the ancient honour of Boulogne. In Domesday Book there are at least nine manors so called in different counties of England, a fact which merely indicates a typical Saxon place-name, and precludes the possibility of connecting the individual tenants with a common family stock. Therefore it would be difficult either to assign the headship of the later family of Anstey to a Yorkshire or a Wiltshire branch, or to conjecture from which of these two, or indeed from any other of that name, the lords of the eastern barony were derived. We know, however, that a lord of Anesti was settled in Hertfordshire—presumably as the heir of some Norman successor to Harold's ejected tenant—during the reign of Stephen, and that he greatly increased the extent of the family possessions by a fortunate marriage with the sister and heiress of a fellow baronial tenant.

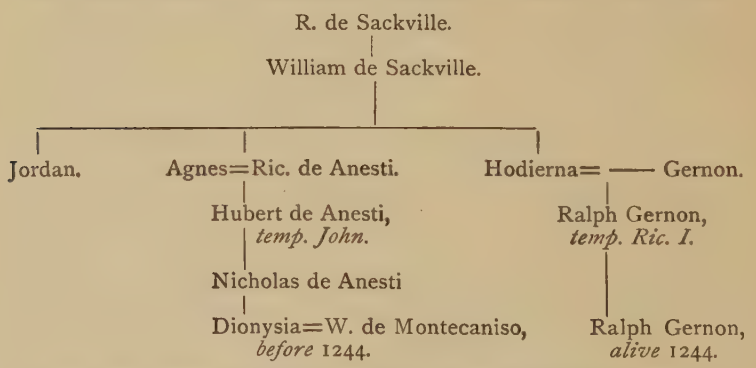
The circumstances of this marriage have given rise to several difficulties in deducing a satisfactory pedigree of the Norman family of Sackville. This has been given by the heralds and county historians most inaccurately, the descent of Richard de Anesti from his childless uncle's daughter being only one of numerous anachronisms due to the usual desire for placing certain recorded names in a plausible genealogical sequence. This conventional pedigree was rejected by Sir Francis Palgrave, who was not able, however, to offer any satisfactory explanation of the difficulty. Those who wish to consult the evidence available for this purpose should refer to the valuable note on the family of Anstey at the commencement of vol. 2 of "The English Commonwealth," also to Morant's "Essex," and to John of Salisbury's Report to Pope Alexander III., printed in Rymer from Ep. 89.

The family of Sackville is commonly derived from a Norman ancestor named Herbrand, who flourished under the Conqueror. No mention of this worthy occurs in Domesday Book, but a Richard de Sackville is mentioned incidentally as connected with Essex. The position of the lord of Anstey in the Sackville pedigree depends on two isolated pieces of evidence. The first is the statement of John of Salisbury, about 1160,

that Richard de Anesti was son of William de Sackville's sister. We also learn from the litigation between his nephew and his cousin Mabel de Francheville, that William de Sackville's father was alive in 1143. This therefore could scarcely have been the Herbrand de Sackville of 1079, as stated in the accepted pedigree. This part of the evidence may thus be tabulated as follows,—



The second piece of tangible evidence is contained in an entry on the Plea Rolls of Henry III., and a *memorandum* in the Register of Colchester Abbey there recited. Here the above pedigree is vouched for as follows:



There is an obvious difficulty about this descent which flatly contradicts both the contemporary statements of the Papal legates and the narrative of Richard de Anesti himself. According to this pedigree, the latter must have married William de Sackville's sister instead of his daughter, and could not in any case have been his father-in-law's sole heir in face of other issue.

The only solution of the problem that can be reasonably suggested, is

that there were two Williams de Sackville, and that the nephew of one of these, Richard de Anesti, married his kinswoman, Agnes, the daughter of the second William de Sackville.

The sole reason that can be assigned for deriving Agnes de Sackville from a younger line is in the undoubted connection of the lords of Bergholt with the Church of Colchester. Otherwise it might be suggested that the relationship between Richard and Agnes (which is of course a stumbling-block) might have been far more remote that that of cousins-german. In proof of the supposition that other branches of the family may have existed unnoticed, it may be inquired who was the Alexander de Sackville, canon of St. Paul's *circa* 1160, who is not mentioned in the Essex genealogy, while it is at least unsatisfactory to discover that there is equally no mention of Richard de Anesti's daughter. Therefore I have not hesitated to substitute the name of William as the father of this Agnes, in place of Jordan lord of Bergholt, rather than resort to the extreme measure of supplying two entirely fresh persons of that name, which was Sir Francis Palgrave's only alternative. At the same time it will be noticed that the William de Sackville from whom Richard de Anesti inherited as nephew, was also on intimate terms with the brethren of Colchester, who attended him in his last hours according to John of Salisbury's report; but this intimacy would naturally follow from that of the family at Bergholt. After all some emendation is perhaps to be allowed in the face of the reputed descent of Richard de Anesti's uncle from a father who flourished in 1079, but who can be proved to have been alive in 1143. The same recklessness in respect of chronology appears at almost every point of this pedigree, and indeed of most others of that class.

Considerable obscurity has prevailed regarding the family of William de Sackville's divorced wife Adeliza, the mother of Richard de Anesti's pertinacious adversary, Mabel de Francheville. She is described only as "daughter of Aubrey the Sheriff," but this is perhaps sufficient to indicate Albericus de Ver, who figures in the Essex Pipe Roll of 1130. Another clue is to be found in the statement made during litigation, that William de Sackville was dissatisfied with the social position of his contracted bride, Albreda de Tregoz, who was merely of knightly family, and was desirous of a more ambitious marriage alliance, doubtless with the daughter of a "count." It is a curious fact that Albreda, the childless wife of William de Sackville had issue by a second husband.

It would be interesting to ascertain the exact position of the family of Glanvill in the Sackville pedigree; but although there is a positive statement that William de Glanvill married Beatrice de Sackville, the sister

of Agnes and Hodierna, in the reign of Henry I., this can hardly be reconciled with the second pedigree given above. It is perfectly clear that Ranulph, the famous justiciar, and one of the issues of this marriage, was the kinsman and contemporary, if not senior, of Richard de Anesti, and therefore Beatrice, instead of being sister to the latter's wife, more probably belonged to an earlier generation. No pedigree of the family of Anstey has made mention of Richard's daughter. In the Pipe Roll for 1175, her father fined with the King for her marriage, which had been given to Adam de Sanford. The family of Sanford seems to have been settled at Nuthampstead, and probably this Adam was Lord of the Manor of Great Hormead. He was a tenant of the Crown by the serjeanty of the chamberlainship of the Queen's household, a position also held by several of his descendants. He was also a tenant of the honour of Boulogne.

At one time I was in doubt as to the accuracy of the accepted pedigree of Anstey in the next generation, owing to an apparent confusion between Richard and Nicholas de Anstey, his grandson, but this is probably due to a mistake in the Red Book at fo. 269, and in several entries of the Testa, where "Nich.," should evidently be read for "Rich." There can be no doubt that Hubert de Anstey was Richard's son, and the father of Nicholas, the last male of his house.

2. Anesti and St. Paul's.

There appears to have been an intimate local connection between the Church of St. Paul and Richard of Anesti's kinsmen and friends during the reign of Henry II., a fact which is, however, scarcely surprising when we consider the large landed interest of that Church in the eastern counties. Among the canons of this period we meet with the names of Alexander de Sackville and William his nephew, William de Ver, and a priest named Alberic, who may have been one of the same family, of whom another member was a prominent fellow of the college at Waltham. There are also records of numerous transactions with the Middlesex family of Anstey, and notably with a lady named Dionysia. The name of Ralph Brito appears as that of a clerk in 1180, and it is interesting to remember that Richard de Luci had granted one of his Essex manors to the son of this eminent justice, who was also himself possessed of lands in the county, and who indeed farmed the Honour of Boulogne for many years in this reign. The King's famous Treasurer, Richard FitzNigel is, of course frequently mentioned. It is perhaps strange that no notice has hitherto been made of his brother, William the Englishman (so-called in contradistinction to a fellow-clerk, William the French-

man), who certainly sat at the Exchequer, and may well have been the *Discipulus* of the "Dialogus de Scaccario," who is frequently addressed by the author as "Frater." This personage has been introduced in the course of the present work, together with the equally obscure brother of the great Justiciar, William de Glanvill, to whom the authorship of our earliest legal text-book has been ascribed by some writers.

A more important circumstance in connection with the identification of William FitzNigel, is the means of supplying the name of a hitherto obscure Treasurer, for it can be almost conclusively proved from an entry in the Pipe Roll of John, that the William who appears among the barons of the Exchequer in Madox's list, succeeded the Bishop of London as the King's Treasurer, and was, in fact, none other than his brother, William the Englishman. The entry in question is in the form of a pardon to William the Treasurer on account of the arrears of the profits of the manors of Essendon and Beiford, lately enjoyed by Richard Fitz Nigel, and for which the said William should have accounted (as his brother's administrator) to the new grantee. We find from consecutive entries in the Hertfordshire Pipe Roll, that Richard had held these lands from the Crown, valued at £20 yearly, since the year 1177.

It is also pretty evident, from certain clerical errors in the Pipe Rolls of this period, that at least one of the scribes was familiar with the local names of Anstey and Essendon, since in several instances these names have been written or begun instead of place-names similar in sound in the accounts of other counties. These slips may be attributed, perhaps, to an abstractedness on the part of some clerk of the Receipt, who was closely related either with Richard of Anstey and the Treasurer Fitz Nigel, or with some of their kinsmen among the Canons of St. Paul's.

Lastly, on the list of Canons of St. Paul's, the name of Gervase, scribe of the Great Roll, occurs, recalling the time-honoured tradition which attributed the famous treatise on the Exchequer to a Gervase of Tilbury, who has never yet (in spite of the Bishop of Oxford's masterly examination of the conflicting claims of the literary Gervases of the period) been satisfactorily accounted for. It will be remembered that internal evidence points unmistakeably to the composition of this treatise by one who had filled the office of Scribe of the Treasurer's Roll. Now Richard FitzNigel may well have been the same Richard who preceded Gervase in this important post, and who moreover seems to have relinquished it about the time that Bishop Nigel's son is known to have acted as deputy Treasurer. The Church of St. Paul had a local connection with Kent, and it seems quite possible that the early bibliographers, being aware of Gervase the Canon's official position, assigned the authorship of

the "Dialogus" to him from the above internal evidence, the surname of the best-known literary Gervase of the period being added as a later embellishment.

3. The Manor of Anstey.

The manor and castle of Anstey, in Hertfordshire, was situated some five miles north-eastward of Buntingford, beside the old Roman road which ran from Colchester to Cambridge.

In Domesday this manor belonged to Count Eustace, and its extent was returned as three hides in demesne and two in villeinage, with two and five plough-teams respectively, and a due proportion of meadow, pasture, and wood. There was also a half hide in little Anstey apparently. This manor, including little Anstey and little Hormead, seems to have formed the neucleus of the Hertfordshire estates of the barony of Sackville. Besides these there were lands in Braching and Berkden. The bulk of the barony, however, was in Essex. Therefore it is probable that the husband of William de Sackville's sister, and father of the Richard de Anesti who figures in this work, was one of the knights of the Sackville barony in the reigns of Henry I. and Stephen. Subsequently, the barony was termed the honour of Sackville, probably from the time of its becoming an escheat of the Crown until the decision of the great Sackville succession case. It is a curious circumstance, too little noticed, that these conventional honours were multiplied almost indefinitely at the end of the 12th century and beginning of the 13th in the technical parlance of the exchequer clerks. That is to say, the barony of A. B. (known, however, only as his land) became as an escheat, even for a short term, the honour of A.B. There was, in fact, a roll of these honours (a fragment of one of which survives for the 31st year of Henry II.), and a tendency to collect them on a separate membrane of the Pipe Rolls. But the term was chiefly employed by clerical compilers of aid-books, like Swereford. Hertford and Essex are especially rich in examples during this period. A competent antiquary should give us a history of these honours, and particularly of the honour of Boulogne.

County historians seem to have gone rather astray in estimating the extent of the Hertfordshire barony in the 12th and 13th centuries. Morant states that Hubert de Anesti paid for ten knights' fees in Herts and Essex, and Palgrave quotes Morant* to the effect that Hubert paid his relief for those ten fees. This, of course, is an embellishment, or if

* Morant, ii. 137.

intruded as a gloss, it is not a successful one, as the payment in question was for the scutage of Normandy. I have never been able to make out more than the five fees given in the Red Book, and suspect that the ten knights is a mistaken reading of the ten *marks* paid in 1199 for five fees according to the rate of two marks assessed in that year. Of course every writer since Morant has copied his blunder and Palgrave's, and the date 1199 has actually been assigned for the death of Richard de Anesti, on the strength of the interpolated "relief" hazarded by Palgrave. Such cases as this make one distrustful of county histories; but those who copy blindly, without troubling to check references, have only themselves to blame.

But this is not the worst, for having committed themselves to the statement as to these ten fees, the above writers have actually invented (as it appears to me) the names of one or more manors to make up the deficiency in the authentic return. I have been very carefully through the Cartæ and Scutages of the Red Book, the Hundred Rolls, and the Testa de Nevill, but only five fees are mentioned, as follows:—Anstey, Hormead (Parva), and Broughing, in Herts, three fees, including half a fee in Berkendon; Radwell or Ridgewell, in Essex, two fees, including apparently land in Pleissingho. In addition to these, however, Morant has assumed that "Brachings," in Herts, stands equally for "Braxstead," in Essex, and he also assigns the Manor of Thuriton, Essex, to the Anstey rent-roll. Palgrave includes the Surrey Manor of Nutfield among the possessions of Richard de Anstey, but the Red Book mentions incidentally that this was acquired by Hubert de Anstey, at a later date. Moreover, it is by no means certain that any of the above five knights' fees were in Essex at all, since the "Redeswelle" fees may refer to the obsolete Manor of Hormead Hall, formerly known as "Redeswelle," especially as the only return for Ridgewell in Essex specifies a rent of £15 payable at the Exchequer in lieu of military service. But my knowledge of local history does not enable me to speak with confidence upon this point, though I am inclined to suspect that this is the true reading. It should be stated that no return of these fees exists for Henry II. or Richard I. among the charters of the tenants of Boulogne, apparently because they were accustomed to account directly to the king, probably one of the numerous transactions *in Camerâ Curie.*

The Manor of Anstey itself may be considered to have contained the approximate number of acres assigned to it by the lord in the present narrative. The three hides in demesne of the Domesday Survey included only 2 plough-lands, or some 240 acres, but there was enough arable for a third plough-team which seems to have been adopted in a later period,

as the following extents, taken from Escheator's Inquisitions and Ministers' Accounts will show :—

1313	220 acres	
1358	299 „	(sown)
1377	410 „	
1402	219 „	(sown)

There was at no time any great extent of pasture or meadow, but the pannage of the woods was of some value.

4. The Castle of Anstey.

I have preferred to consider this historical building as having been rather in the nature of a fortified manor house, than of a regular Norman castle. It is true that Earl Eustace must have built many strong places ; but besides the probability of most of these having been destroyed in 1095, or at least in 1154, it is highly erroneous to suppose that there was only one type of mansion house in this period—that of the conventional castle. If Anstey had been such a fortress, we should either have received some contemporary notice of it, or traces of the foundations would have survived. It was doubtless a common practice to build a manor house on one of those hillocks (the "colliculi" of Mat. Paris) raised by some freak of nature or by the industry of Roman or British engineers. The mansion house of Bures, in Essex, another of the Sackville manors, seems to have been a similar structure. Moreover, it is not sufficiently remembered that the archi-type of every residence of the period was the Gothic hall, and it mattered really little whether this was surrounded with battlemented walls or guarded by a precipitous cliff. At the same time, I do not speak with the least authority upon this point ; only it is refreshing sometimes to discard conventional forms, especially when we instinctively feel that the departure is warranted by the historical requirements of the case. Indeed, there is some reason to believe that the "castle" of Anstey was a feudal fiction for the purpose of some obscure service. I have not been able to trace the story of the demolition of some part of the building under Henry III. owing to the part taken by Nicholas, the last lord of Anstey, in the barons' wars. This at least implies that the military structure was first erected at the end of John's reign. But, as partial proof of the correctness of the theory that I have here advanced, the scattered entries relating to the repairs of the "castle" (as it was still called in the reign of Edward III.), in the ministers' accounts, may be adduced. Here we have mention of a moat and a great gate within the moat, and also of sheep folds and granges, and other farm buildings

within this inclosure, with a central mansion and domestic offices attached. This is in fact just such a manor house as that of Chingford, an admirable ground-plan of which is given among the muniments of St. Paul's above referred to, some eighty years later :—

"A sufficient and fair hall, well ceiled with oak, together with a capital (honestus) parlour on the ground-floor at the west part, with a fireplace of stone, and a gardrobe, and a certain other small chamber, and at the east end a pantry and a butlery.

Between the Hall and Chapel a certain chamber.*

A decent Chapel, roofed with tiles, and a certain portable altar and one small cross.

In the Hall four tables on trestles.

A good Kitchen, roofed with tiles, with a furnace and ovens, one great and another small for sweetmeats, and two tables, and next the kitchen a small house for baking.

A new granary of oak, roofed with tiles.

A house in which is contained the Dairy, but it is divided.

A sufficient chamber for the clerks, with a necessary chamber.

A hen-house.

These are within the inner gate.

Also without that gate : an ancient house for the serving men. A stable long, good, and divided, and at the end towards the North, beyond the lesser stable, a solar for the use of the serving men.

Also a house in which is contained bedding.

Also two granges, the one for wheat and the other for oats.

Now these buildings are inclosed with moated walls, and a stockade.

Also without the middle gate a good grange, and one cattle-fold for the cows, and one for the oxen, both old and ruinous.

Also without the outer gate one piggery."

5. The Manor Farm of Anstey.

I have experienced great difficulties in attempting to describe the state of agriculture at the close of the 12th century. With regard to Anstey itself, no ministers' accounts survive earlier than the reign of Edward III., and these have proved of greater value for topographical than for economic purposes. At the same time, reduced to the standard of prices of the 12th century with the aid of the statistics derived from the Pipe

* The word "tresencia" here seems the same with "tresantia" which was a parlour in a monastery. It may, however, mean a screen.

Rolls and the Winchester accounts, these rolls furnish us with a fair idea of the condition of agriculture in this manor, when few changes took place in the course of several centuries.

The seneschal renders his account from Michaelmas to Michaelmas. In the first place he is charged with the gross receipts from the manor, namely, the rents of assize at six terms of the year; also with rents of farm; with the issues of sales of pasture (the agistament of swine, etc.), of brush-wood from the woods, and of rents in kind, namely, poultry and eggs. Also with rents of dove-cotes, hen-runs, and cow-pastures. Also with the proceeds of task-works commuted by payment, including ploughwork upon the demesne.

These works appear to have been computed as follows:—

Winter works for 43 weeks, between Michaelmas and August, 2495, being performed by the 28 customary tenants of the manor, in the 33rd year, namely,—

6	tenants,	3	days' work	in every week.
17	„	2	„	„
5	„	1	„	„

247 of these works were sold at ½*d.* and 58 at 1*d.*, and there were many defaults, including the loss of works that fell upon feast-days. The 6 greater customaries also performed 6 ploughworks in the winter season.

These same customary tenants performed 894 autumn works, during 8 weeks, from August to Michaelmas. Apart from these they also performed 128 works in mowing the lord's corn, but in this case 53 persons were engaged, and as many as 58 received rations—chiefly salted herrings—for 181 bene works of this nature. As all these are spoken of as customaries, women and children must have been largely employed in harvest-work.

The seneschal is also charged with the sales of corn and stock. In a perfect minister's account a schedule of the grain received into and issued out of the grange should be separately given, showing the proportions sold, used for seed, and bestowed upon the several officers and labourers respectively. About an equal acreage of wheat and oats seems to have been under tillage, while that of barley was slightly less than pease.

There was a custom in this manor by which in addition to the usual rations for harvest-work, certain acres and roods were set apart for the labourers upon the manor. Thus, to the carter and the 3 teamsters were allotted one acre of wheat and one of pease each, they receiving the above in lieu of wages. The smith also had one acre of both kinds. The shepherd and his three helps each 3 roods of both. The ploughmen

and the cowherd one rood each of both kinds, called "ox-roods" or "cow-roods"; and the reaper also one rood of both, called the "bene-roods."

The sales of stock are, as usual, made up of surplus oxen, stots, sheep, and poultry—including the hides or pelts of these animals,—and eggs.

Lastly, the profits of the courts held during the year, together with escheats, are credited to the lord.

On the other hand, the seneschal is allowed for the usual outgoings: purchase of stock, plough-oxen to make up the teams, cows or a bull to replenish the herd, with yearlings, two-year-olds and chickens to be fattened and resold at a profit; fees and wages of officers and labourers, beyond the customary allowances of corn and flesh, including in this case payments to the reeve, dairy-woman, miller, woodward, and shepherd. The seneschal's travelling expenses are also charged here, and the clerical expenses incurred in preparing the account. The smith's bill is necessarily a heavy item, while periodically quite an army of tilers and carpenters and masons has to be maintained for the repair of the ruinous farm buildings. Lastly, there is a varying expenditure in renewing the implements of the farm and dairy or the machinery of the mill.

It will be at once evident that such a statement of account as this differs very slightly in form and substance from that of a much later age. In the same degree, at the least, it may be held to resemble the economy of an earlier period. Indeed, there is room for an important change in one respect only, and herein, contrary perhaps to our expectation and to the general opinion, we find little or no change made. I allude to the employment of customary labour before the great pestilence of 1349, on a more complete and profitable system than was practicable, in spite of the Statute of Labourers, during the subsequent period. This assumption is not I believe warranted by the evidence of the earliest surviving minister's accounts, which seem to indicate that from the end of the 12th century the profitable cultivation of the lord's demesne was mainly dependent on the employment of a full staff of paid labourers, and that the customary labour of the villagers was merely auxiliary, and at the same time so perfunctory as to have been held of small account. It would appear, indeed, that during this earlier period the customary labour in question was performed with commendable regularity. Defaulters were mercilessly fined, and commutation of task-works is rare. In spite of this, however, the staff of paid farm-servants and officers was as large as in the subsequent period, when the villagers were allowed to commute their task-works at a moderate rate. We are almost tempted to suspect that the lord actually preferred their pennies to their honest toil, and that by the increase of the issues of his court in the shape of fines, he was a consider-

able gainer through the prædial agitation. This, however, can scarcely be the case, since in many other manors these works, both in the earlier and later periods, were defined rigorously, and enforced on the system of piece-work. Therefore we are led to infer that there was a superabundance of customary labour, which allowed of a profitable commutation even at the low rates then in force; and further, that the real loss to the lord was in respect of the rise of wages paid to the more valuable and indispensable class of farm-servants.

I have taken as the basis of a description of the state of agriculture within the manor of Anstey the ministers' accounts for the see of Winchester at several dates between the reigns of John and Edward III., in order to arrive at a rough estimate of the relative distribution of wealth in the earlier and later periods. Working backwards in this way through the accounts of two or three manors of almost equal extent and similar cultivation with that of Anstey, I have come to the conclusion that the description of that manor in the earliest surviving rolls, outlined above, would be substantially the same at the close of the 12th century. In fact, the close resemblance in the nature and arrangement of the contents of a typical minister's account in both periods is quite remarkable. The only appreciable difference is in the inevitable variation of prices. Even the separate schedule for the "Issues of the Grange" is found alike in 1209 and 1369. Of course all such reasoning by analogy is apt to prove fallacious, but for my own part I am thoroughly convinced that if a minister's account of the manor of Anstey could be produced for the tenth year of John, it would be found to agree in almost every particular with the surviving roll for the thirty-second year of Edward III. The Winchester rolls* referred to here have been described as Pipe Rolls. In fact, however, they are ordinary minister's accounts, and the two specimens of the series which happen to be preserved among the Public Records have always been regarded as such. I am aware of one other account only which embraces such an early period as these interesting muniments, and this, though rather in the nature of an escheator's extract than a bailiff's account, is noticeable as perhaps the earliest manorial account in official custody.† The date of this account is the 12th year of John.

I had originally formed the intention of giving some specimens of these accounts for the earlier and later periods in this Appendix; but

* Preserved amongst the muniments of the Ecclesiastical Commissioners, No. 159, 270. These rolls have been described by Professor Maitland in his now famous Introduction to vol. ii. of the Selden Society's publications.

† Treasury of Receipt, Ancient Miscellanea, $\frac{20}{67}$.

as this Note has already assumed unwieldy proportions, I have thought it more desirable to insert a table of prices of farm produce, extracted from the Pipe Rolls between the 12th and 33rd years of Henry II., as being the only strictly contemporary evidence bearing upon the state of agriculture in the counties of Essex and Herts now available to us.

PRICES OF FARM PRODUCE FROM THE PIPE ROLLS OF HENRY II. ESSEX AND HERTS.

Date.	Description.	Number or Weight.	Average Price.
12 Henry II.	Oxen	58	3s.
	Cart horses	16	3s.
	Cows	35	3s.
	Bulls	2	3s.
14 Henry II.	Sows	28	1s.
	Boars	2	1s.
	Sheep	686	4d.
	Porcelli	20	4d.
	Juvenci	16	1s. 4¾d.
22 Henry II.	Wheat	60 lds.	1s. 8d.
	Beans	20 lds.	1s. 4d.
	Bacons	140	2s. 1d.
	Cheese	200	2d.
	Ditto (great)	50	6d.
	Ditto	10 wghs	4s. 6d.
28 Henry II.	Oxen	21	3s.
	Cart horses	2	3s.
31 Henry II.	Oxen	15	4s.
	Sheep	85	8d.
	Oats (seed)	200 lds.	1s. 6d.
	Barley (seed)	8 lds	2s. 2d.
	Wheat (seed)	16 lds.	2s. 10d.
32 Henry II.	Oxen	8	5s.
	Cows	8	3s.
	Sheep	132	6d.
33 Henry II.	Oxen	12	5s.
	Cart-horses	3	5s.
	Cows	4	3s.
	Bull	1	3s.
	Sheep	66	6d.
	Pigs	16	8d.

PRICES OF FARM PRODUCE FROM THE PIPE ROLL 19 HENRY II.

County.	Description.	Number or Weight.	Average Price.
Kent.	Wheat.	400 lds.	2s. 8d.
	Ditto.	128 lds.	2s. 3¼d.
	Ditto.	100 lds.	2s. 4d.
	Peas and Beans.	27 lds.	1s. 7¼d.
	Ditto.	20 lds.	1s. 8d.
	Bacons.	200.	2s. 8d.
	Ditto.	60.	2s. 8d.
	Ditto.	50.	2s. 8d.
	Cheese.	10 weighs	4s. 4¾d.
Sussex.	Wheat.	40 lds.	2s. 5¾d.
	Great cheeses.	100.	4¾d.
Wilts.	Wheat.	120 lds.	3s. 6d.
	Beans.	20 lds.	3s.
	Bacons.	120.	1s. 9½d.
	Cheeses.	400.	4¾d.
Norfolk and Suffolk.	Wheat.	286 lds.	2s. 1½d.
	Ditto.	200 lds.	2s. 2d.
	Ditto.	100 lds.	1s. 8½d.
	Beans.	26 lds.	1s. 7d.
	Bacons.	195.	2s. 1¾d.
	Ditto.	100.	2s.
	Ditto.	100.	1s. 10½d.
	Cheeses.	656.	3¼d.
	Ditto.	500.	2d.
	Ditto.	100.	3¼d.
Oxon.	Wheat.	100 lds.	1s. 6d.
	Bacons.	50.	1s. 5¼d.
	Cheese.	4 weighs	4s. 6d.
Worcester.	Wheat.	60 lds.	1s. 9¼d.
	Bacons.	60.	1s. 10d.
Notts and Derby.	Wheat.	40 lds.	1s. 4d.
	Ditto.	33 qrs.	1s. 5½d.
	Ditto.	30 lds.	1s. 8d.
	Bacons	40	2s. 4½d.
	Ditto.	20	2s. 10¾d.
	Ditto	20	1s. 11¼d.
	Cheeses	60	3¾d.

County.	Description.	Number or Weight.	Average Price.
Warwick and Leicester.	Wheat.	100 lds.	1 s. 8 d.
	Bacons.	100	1 s. 6 d.
	Cheeses.	130	4 d.
	Ditto.	90	4 d.
	Cows, salted.	50	2 s.
	Ditto.	40	2 s.
London.	Wheat.	255 lds.	1 s. 10¼ d.
	Ditto.	42 lds.	1 s. 10¼ d.
	Bacons.	184	2 s. 8¾ d.
	Ditto.	9	1 s. 9 d.
	Cheese.	40 weighs	4 s. 8½ d.

6. The Plough Tax.

It is not necessary, and it would moreover be quite unsatisfactory, to discuss here the burning question of English and Norman land measures as used in Domesday Survey. Those who wish to join the band of enthusiasts who have devoted so much time and ingenuity to this absorbing subject, should consult (perhaps in the order named) the classical works of Sir Henry Ellis, Mr. Eyton, and Mr. Seebohm, before grappling with the more advanced theories of Canon Taylor, Mr. J. H. Round, Mr. Pell, and others, printed in the recent volume of "Domesday Studies." The matter is only of immediate interest in connection with the typical manor of the year 1177, from the evidence which seems to point to a general change in the method of land assessment from the end of the 12th century onwards. By some this has been thought to amount to no less than a complete systemization of the old Saxon and Norman land-tax in accordance with the scientific principles of assessment at the Exchequer. Certainly the statement of such a well-informed writer as Richard FitzNigel, supported as it is by that of at least one other contemporary historian of high repute, to the effect that the ploughland of the last twenty years of the 12th century was officially computed at 100 acres, should be considered worthy of serious attention. At the same time, we cannot disguise the fact that the evidence in point is somewhat unsatisfactory. The Bishop of London, for instance, who above all others would have been versed in such a science of assessment, practically disclaims all personal knowledge of the subject, merely giving as his authority for the general average of 100 acres, the "common opinion" of his official contemporaries and referring his questioner to the verdict of provincial wise-acres. So, too, Hoveden, who is another principal authority for this

statement, merely quotes the alleged return of certain local inquisitions to establish the prevalent extent of the ploughland which, moreover, is not distinguished as being a geldable or an arable unit. Mr. Round, who is probably the highest living authority upon this subject, has boldly challenged the accepted theory of a new levy under the name of a carucage in connection with an all-round assessment on the 100 acres,* and undoubtedly it is unreasonable to assume that a tax laid upon a conventional ploughland of 100 acres by a nice process of adjustment which may prove to be almost identical with the more elaborate system of the Norman surveys, is the same as the somewhat later assessment calculated upon the average value of the plough-teams. It may be pointed out, however, that in either case for every ploughland a normal plough-team was understood, each plough representing the means of existence of an average number of contributors, in the same way as it was afterwards employed as the unit of calculation in the depopulation returns of the Tudor and Stuart periods. The real object of the official assessors seems to have been the same in the earlier period or in the later, even as early as the year 1177—namely, to distribute all the common or imperial taxes payable at the Exchequer over a number of average hides.†

I would venture to offer a new suggestion here as possibly throwing some light upon the matter. The common assize was in the 12th century at least employed for the greater convenience and security of collecting certain incidents of imperial taxation. Thus the assart fines incurred within a given district were assessed on a fixed scale and charged upon every acre assarted. So, too, certain extraordinary aids or in other cases particular amercements were assessed in the same way upon every hide or carucate of a hundred. But the peculiarity of the assessment was this, that a separate calculation was made in the first place of the total sum required from or incurred by the subjects in each county, and the whole amount being thus put in charge was afterwards broken up and apportioned among the tenants at large. We may observe that this comprehensive method of assessment was at all times a favourite expedient of the Government, and may be traced in several different forms and at a much later date, being even applied to the military levies of the Tudor period.

It is quite possible that the system may have been adapted to the

* *English Historical Review*, July, 1888.

† "Fiunt interdum communes assisæ . . . quæ ideo dicuntur communes, quia cognita summa quæ de comitatu requiritur, communiter ab his qui in comitatu fundos habent per hidas distribuitur, ut nihil desit de illa cum ventum fuerit ad scaccarium solutionis."—*Dialogus de Scaccario*, i. 8.

assessment of monetary rents in a primitive period of society ; that is to say, it may not have been the practice to estimate a gross revenue as an aggregate of rents, but having decided upon a fair rental for the whole outland, the lord would apportion it indiscriminately throughout the several hides or their subdivisions, down to the acre. Thus rents of assize may have once conveyed a deeper meaning than mere fixity of assessment, and indeed in the case of the crown-lands which paid rents in kind down to the reign of Henry I., it is difficult to see how a less comprehensive scheme could have been adapted to the intelligence of the royal bailiffs. I will not press this analogy further or seek to connect the common assize with the financial functions of the ten-man-tale on the one hand, or the judicial apparatus of the *vicinetum* on the other. It is at least clear that the Exchequer officials gave more heed to the lump sum charged upon the county in respect of the king's farms, or for the satisfaction of the king's peace or dignity, and required from the sheriff or bailiff, than to the trivial details of extents and valuations of individual holdings, the nature of which they contemptuously referred to the verdict of the legal men of the hundred, regarding a ploughland or a plough-team or a ploughshare alone as an equally convenient unit of taxation, on the basis of twenty shillings value for the hundred acres of arable ; unless indeed a more exact return were required for a special occasion.[1]

7. The Anstey Manor Court.

I have introduced this subject with considerable hesitation, partly because it is in itself a very obscure one, but especially on account of my own imperfect learning. Still it is necessary to venture a few remarks in explanation of the description given in this Chapter of the Anstey manor court at the end of the 12th century, and for the purpose of comparison with the surviving court rolls of the same manor which are nearly two centuries later. Just as a close resemblance can be traced in the system of account at the manorial audits of the 12th and 14th centuries, so it is possible to conjecture from the issues of the lord's court entered on the earliest minister's accounts that very similar matters occupied the attention of the suitors in either period. Thus such entries as the following, from the Winchester accounts of 1207 and 1209, may be reasonably looked for in almost any court roll of Edward III.'s reign :—

1 "Et quot sunt carucæ, et quantum singulæ valeant, non æstimantes eas ad pretium xx. solidorum tantum, sed secundum quod terra fuerit vel bona vel mala, crescat vel decrescat pretium."—*Capitula Placitorum Coronæ Regis*, Hoveden, iii. 262.

"A. B., because he departed from the boon-work of the lord without license."
"C. D., because he did not come to the lord's day-works."
"E. F., for ill-keeping of the corn."
"G. H., for his pigs found in the lord's pasture."
"I. K., because he refused to carry the lord's man on his journey."
"L. M., for the marriage of his daughter."
"N. O., for a false claim."

Nevertheless, as no court rolls are extant for the earlier period in question, it is not wise to push this partial resemblance too far. Indeed, from the analogy of Curia Regis (of which the Curia Baronis may reasonably be regarded as the feudal reflection), a considerable change in form and procedure must have taken place about the beginning of the 13th century. I do not mean by this that the manor court is henceforth to be regarded as a cut and dried jurisdiction,—at one time a court baron or hall-moot, and at another time a court leet or view of frank pledge, now the court of the free and now of the customary tenants,—but merely that as the king's court finally emerged from the quasi-patriarchal into the official state from a variety of causes which took effect in the reigns of Richard I. and John, so we may consider that the Barons' Courts enjoyed a greater simplicity of procedure than is commonly imagined, at least as late as the close of the reign of Henry II. The system of the Exchequer, on the other hand, exhibits no such important change, and therefore although, as I have previously suggested, the ministers' accounts of the last-mentioned reign might be expected to resemble in almost every particular those of the middle of the 14th century, the style and functions of the manor-court would doubtless differ materially in each period in proportion as the procedure of the Curia Regis itself had undergone important modifications.

The hall-moot of the lord of Anstey in the year 1177 was probably a very simple affair indeed, but the courts of which the proceedings are reported in 1360 and subsequent years exhibit an orderly and technical procedure which had doubtless been in progress for more than a century previously.

There was a court here called the general court, and held apparently on the usual feast-days. There was also at irregular intervals a court with a leet connected with the view of frank pledge. The proceedings of the court were briefly as follows :

First, those who had need assoigned themselves, and new "days" were assigned to them. Then certain great tenants of the manor were

set down as defaulters. Of these one excused himself by the king's writ, two others pleaded their knighthood, and were fined twelve pence each, three who were in ward were fined vicariously, and two more, being in the lord's hand, were satisfactorily accounted for. Others again fined to be free of suit to the lord's court during the current year or some part of it. At this point admittances were often made. A. B. and his wife come into the full court and resign their lands holden of that manor into the lord's hands to the use of C. D. The lands in question are then granted to the latter to hold to himself and his heirs by certain services and customs according to the custom of the manor. He pays twelve pence for entry, and does fealty on the spot. Sometimes only the fealty of a free tenant was rendered. Thus J., prior of A., comes and does fealty for his lands and tenements.

After this the plaints followed. A. B. complains of C. D. in a plea of trespass, or for breach of contract, or for a petty assault. Pledges the Mower and the Bailiff. They fail to produce the parties, and are fined twopence. If the case is pursued, an inquest is found that C. D. is convicted of trespass, etc., and it is presented that a fine of twopence shall be levied from him to the use of the plaintiff. It would seem, though the practice is obscure, that the capital pledges subsequently presented, whether the fine in question has been justly (or unjustly) levied, in accordance with this finding. In all cases the Mower and Bailiff were made pledges to the suit.

The ordinary presentments of the homagers, jurors, or capital pledges are the most familiar features of the manorial jurisdiction. They present that A. B. has stopped a watercourse, cut the lord's timber, or made default in his boon-work of carrying the lord's corn, or in his gafol-work of ploughing the spring field. They present further that the rector of Anstey's shepherds have trespassed in the lord's meadow with their two-yearling sheep. Sometimes a day is given to the whole homage to explain why they have carried away hedges and stiles or over-pastured the common with the irrepressible "bidents." Presentment is also made of the waifs and strays, etc., which have accrued to the lord at certain dates. After this the ale-tasters are appointed, or if the leet and view of frank-pledge were held instead of a general court, the constables are nominated for the ensuing year.

Finally, the total sum of the issues of each court was ascertained and checked by the lord's officers, with a view to its being entered in the seneschal's account.

It is a curious fact that in the earliest ministers' accounts, not merely the total but the details of the profits of the court are given, and we may

almost suspect that we have here the original record of the proceedings so far as it was thought worth while to preserve them. This is strictly in accordance with the analogy of the king's court, the proceedings of which were originally merely recorded by the justices by way of rendering an account to the Exchequer for revenue accruing and not for the sake of perpetuating legal precedents. This would explain the entire deficiency of court-rolls before the middle of the 13th century, when the commencement of the prædial agitation induced the lawyers to bestir themselves in the lords' behalf, and the latter, in turn, to adopt formal measures for the protection of their feudal perquisites.

In addition to the usual sources of information for this chapter, including county histories and plans, the invaluable treatises of Mr. Seebohm, Mr. Round, and other modern writers, the records printed in Palgrave's "English Commonwealth," Fleta, the Domesday, Winchester, Boldon, St. Paul's, and other surveys, more special use has been made of the evidence of the Red and Black Books of the Exchequer, the Testa de Nevill, the Anstey ministers' accounts and Court Rolls and Escheators' Accounts, the entire series of Pipe Rolls for the reigns of Henry II. and Richard I., the "Dialogus de Scaccario," Mr. Maxwell Lyte's admirable calendar of the muniments of St. Paul's in the Historical MSS. Commission's Series, and the Winchester manorial accounts, preserved in the custody of the Ecclesiastical Commissioners and at the Public Record Office; with many other authorities of less importance.*

* Unfortunately Professor Maitland's masterly introduction to select Court Rolls (Selden Society, vol. ii.) was not available when these pages were written, and Dr. Cunningham's promised edition of Walter de Henley has not yet seen the light, while Mr. Round is possibly on the brink of a discovery which would alter all our present views as to the nature of the carucate.

NOTES AND REFERENCES TO CHAPTERS II., III., AND IV.

WITH the exception of isolated notices contained in ancient deeds or in the entries of the Pipe Rolls, there is little to be gleaned respecting the archæology of London in the middle of the reign of Henry II., outside the famous treatise of William FitzStephen. It is true that the chroniclers help us a little here, and FitzAlwyne's assize a great deal; yet on the whole there is no first-hand evidence available, in spite of the increasing scope of the national records, down to the period in which the surviving civic archives properly commence. In this sketch, therefore, of the more prominent features of the civic economy, I have relied chiefly upon the description of such a practised writer as the author of the "Life of St. Thomas," which, however unsatisfactory it may appear to a modern antiquary, is much more tangible evidence than the florid conceits of Necham and Giraldus.

Indeed, the topographical descriptions of our ancestors in the 12th and 13th centuries closely resemble their drawings of certain natural objects in the absence of those artistic details which make up a true representation; so that were it not for the requirements of legal evidence, we should have little positive knowledge of the most familiar landmarks.

Therefore between the reigns of Henry II. and Edward I. a gap of nearly a century must be filled in, or, more strictly speaking, it is necessary to work backwards from the latter reign to the earliest period concerning which information is desired.

Objections have often been made to this method of analogical investigation, but I have frequently noticed that those who most properly object to the aforesaid method in the abstract, have no alternative to offer but a recourse to evidence which is far inferior to what a tolerable antiquary could evolve from his inner consciousness. Indeed, this last resource is usually the most satisfactory of any of the above methods of research—only it is not history. Yet if we begin here with the proposition (which can be demonstrated), that the civic economy of the year 1377 resembled in almost every particular that of the year 1277, it is not altogether unreasonable to suggest that this social state could not have altered materially since the date of the present narrative. In any case I have not been able to resist the temptation of employing with due precautions the

unequalled historical material which exists from the end of the 13th century for the purpose of this brief sketch, especially since such high authorities as the late Mr. Riley and Mr. Loftie himself have practically adopted the same course.

With regard to certain other topics included in these three chapters the case is somewhat different, as here considerable material is available, although for the most part not readily accessible. I had originally formed the intention of extracting from the Pipe Rolls and ancient deeds of the reign of Henry II. every mention that occurs of the Jews in their relations to the Crown and the subjects. Here, however, I was forestalled by the industrious zeal of the well-known student of Jewish antiquities, Mr. Joseph Jacobs, who recently published a long schedule of all such entries as occur in the Pipe Rolls of the 12th century in the *Archæological Review* for February 1889. I have in fact only discovered one entry of importance that has not been noted by Mr. Jacobs, or, before him, by the unerring Madox. This entry occurs in the Pipe Roll of the 34th year of Henry II. for the counties of Essex and Herts, and is to the following effect: "And to three converts from Judaism to the Catholic faith, namely, to Peter and Nicholas and John, 45*s.* 7½*d.* of the alms that were Richard Chochet's. By the king's writ," etc. From the position of the entry these Jews seem to have been resident at Hertford. This is the earliest notice that I have met with of the payment of fixed alms to Jewish converts, and it would be interesting to know whether they were placed under any restraint or supervision similar to that afterwards exercised in the case of the inmates of the *Domus Conversorum* of the modern Rolls yard during the 13th century. As will be seen, free use has been made in this chapter of the references to Jews contained in "Richard of Anstey's Account" as being particularly appropriate to the present narrative. An original charter or bond, dated 1185, which is printed in the collection of Ancient Charters of the 12th century, so ably edited for the Pipe Roll Society by Mr. J. H. Round (vol. x., p. 82), affords an instance of a rather unusual form of usury resembling the device known as "chevisance" in a later period. Here a certain William de Toteham (Tottenham) acknowledges a loan of 100 marks from Avigay the Jewess, of London, and Abraham her son, with interest nominally £9, but actually payable as £10 on the security of his manor of Tottenham. By a covenant in the bond, the debtor has the option of repaying two several sums of forty marks each without interest at the Christmas following in satisfaction of the whole debt, a circumstance that leads us to suspect that the original loan, though set down as one hundred marks, was in reality only forty, the second instalment being a premium for the accom-

modation. If, however, the debtor only repays the first forty marks, interest is charged on the second instalment at double the rate of interest on the nominal loan of one hundred marks, and this again is nearly doubled in the case of arrears. In default, the creditors are empowered to put a receiver or tenant in possession of the land until they have repaid themselves in full. Failing the payment of eighty marks or a deposit of forty marks as stipulated by his covenant, the first-mentioned arrangement is to continue in force.

The bond or "starr," of which a fac-simile is given at page 36, presents another method of usurious dealing.

The literal translation of this bond is as follows :—

Cyrograph.

"Know all men, present and future, that I Ysaac the Jew of Northampton have let to farm to Margery wife of Roger de Huc all the land which I have in pledge of the aforesaid Roger her husband for fourscore pounds and sixty six shillings and eight pence of silver, which the same Roger owes to me in respect of a fine which he made with me concerning the debt of his father, as the cyrograph made between us bears witness. To hold and to have to the aforesaid Margery of me or my heirs ; rendering therefor yearly to me and my heirs one hundred shillings sterling ; namely, fifty shillings at Pentecost of the seventh year of the reign of King John and fifty shillings at the feast of St. Martin next following ; and so from year to year, so long as the aforesaid Margery shall lawfully render to me yearly at the appointed terms the farm aforesaid. And if it shall so happen that Avicia the mother of the aforenamed Roger her husband do decease, the whole half of her dower in the aforesaid vill of Huc which concerns me, according to the convention in another cyrograph made between us, shall remain in the hands of the aforesaid Margery rendering therefor yearly to me and my heirs fifty shillings, namely half at Pentecost and half at the feast of St. Martin, together with the other hundred shillings that she renders to me for the land aforenamed which I have committed to her to farm. And if it shall so happen that the aforesaid Margery shall have kept the aforesaid debt for fifteen days beyond any term of any year then the aforesaid Margery shall give to me twenty shillings as a penalty beyond the farm aforesaid ; and the whole land aforenamed shall return into my own hand without any gainsaying ; so that it shall be lawful for me to retain the land aforesaid in my own hand or to commit it to farm to whomsoever I will. So that, nevertheless, that committal be not to the disinheritance of the afore

said Roger, by computing yearly the whole farm which the aforesaid Margery was bound to render to me in payment of the principal of the debt of Roger, her husband, as the cyrograph made between us bears witness. And that this convention may endure ratified and unshaken to future times, it is confirmed by the putting of the seals of each of us hereto, and the foot of this cyrograph remains in the chest of our lord the king at York in witness."

By their Charter of Liberties, granted in the second year of John, the Jews were allowed to sell a mortgaged estate provided they had held it for a year and a day. It is true that this Charter seems to imply that the above and other privileges had been secured to the Jews by a Charter of Henry II.; but however this may be, it is a fact that before the reign of John the Crown is found to be more often on the side of the Christian debtor against the Jewish creditor.* After that date the king took fines from both indifferently, though with the sinister motive of enriching his revenue by a species of indirect taxation. Even as late as Edward I. we read that the custom of the Judaism only permitted the creditor to seize upon half the debtor's lands until the obligation was satisfied. It is pretty certain, however, that in this later period the normal rate of interest was reduced, while every precaution was taken to avoid the worst forms of chevisance. In the reign of Henry II., on the other hand, the State was content with denouncing usury in general terms, merely stipulating in the individual cases which were brought within its notice, that the debtor should be allowed to repay the principal and interest by a yearly rent-charge, or at least that he should recover possession of his lands whenever the creditor could be shown to have reimbursed himself out of the profits of the soil. A typical case in point is that of Robert de Braibroc, recorded in the Rutland Pipe Roll of the 10th year of Richard I., wherein it was adjudged that a manor which had been mortgaged by his father, in the reign of Henry II., to a certain Jew, should now be restored to him, because the mortgagee had more than repaid himself during his occupancy. Here we have an explanation of the Bishop of London's denunciation of those who enjoyed the profits of a mortgaged estate "*manente sortis integritate.*"

Another form of bond is preserved in the *Dialogus*, though its purport is somewhat obscure. "Be it known to all men that I N. owe to N. one hundred marks of silver; and for these hundred marks I have impawned to him that land for ten pounds, until I or my heir shall pay to him or

* In one instance a Jew paid a fine of 20 marks to recover a debt of £42, while a Christian could obtain relief at a much cheaper rate.

his heir the aforesaid hundred marks." Here the context is that an actual conveyance of the land was effected in favour of the creditor, in which case the second sum of ten pounds must be regarded as a fictitious consideration for the transfer. We should have expected, however, to find the smaller sum charged upon the land as interest upon the principal. Perhaps such a transaction as this last usually took place between Christians, for it is given as an instance of "private" usury, in contradistinction to "public" usury, "after the manner of the Jews." Indeed, the practice of usury by Christians was by no means infrequent even at this date, and as the penalty was the same in both cases, it has been reasonably suggested that this penalty was incurred by the Jews rather for a specific breach of the law than for an unconscious offence against Catholic prejudices. This view is certainly supported by the circumstance that the same Saxon laws which consign the "property" in Jews to the king's hands, also render penal similar forms of moral turpitude in the case of all subjects without distinction. On the other hand, it may be fairly argued that the Jews were really placed at a disadvantage as aliens, and indeed the Crown clearly arrogated a control over this class in general, which was often used as a means of extortion quite as flagrant as any practised by the early Plantagenets towards "their Jews."

The author of the *Dialogus* makes some very severe comments on the practice of usury in his time, though his indignation as a Churchman is somewhat tempered by the satisfaction with which, as Treasurer, he notes the enormous increase of the royal revenue from this source. Practically, however, there is only one distinction apparent in his account between the treatment of Christian and Jewish usurers; namely, that the former were not liable to the confiscation of their wealth during life, since time for repentance remained to them, which it was the duty (he adds) of the Church to see happily accomplished.

The first great step in the arduous path of Jewish emancipation is generally referred by the chroniclers to the year of the present narrative. It is well-known that from motives of private policy obstacles had hitherto been placed in the way of the decent burial of Jews elsewhere than in London, and now for the first time cemeteries were allotted to them outside the provincial cities.

It has been usually asserted that the Jewish colonies were confined to a very few towns of England; but although it is doubtless true that their head-quarters were fixed in such places, I have been struck by the almost universal occurrence in the Pipe Rolls of Jewish names or cases. Certainly Richard of Anstey seemed able to find a Jew at almost any point in the course of his wanderings; and although the great Jews of London,

York, and Lincoln, seem to have been singularly peripatetic, like the King's Court, on the outskirts of which they probably hovered, some of these names must apparently refer to resident Hebrews. Indeed, the very prohibition against the sojourn of a Jew in any town other than one of those appointed by ancient custom, unless by the special license of the Crown, seems to indicate a tendency in this direction; and it is also a significant fact, that we find certain towns fining with the King that Jews may be excluded from their precincts. It would be rather rash to assume that because mention is made in early records of a Jew resident in a certain town, that this was a solitary individual. For instance, there is nothing that would lead us to suspect the existence of a Jewish colony at Wilton, and yet, in the 27th year of Henry III. an "ark of the Jews" was preserved here, a sure sign that they were present in some numbers.

The following list contains the names of the principal English towns in which Jews appear to have resided in the reign of Henry II., those in which a Jewish colony existed being distinguished by an asterisk. My authority in each case being the Pipe Rolls of the reign.

Bedford	Hertford
Beverley	Hitchen
Bristol*	Ipswich*
Bungay*	Lincoln*
Cambridge*	London*
Canterbury*	Newport*
Chichester	Northampton*
Colchester*	Norwich*
Coventry*	Oxford*
Dunstaple	Rising
Edmundsbury*	Rochester*
Exeter*	Thetford*
Finchley-field	Winchester*
Gloucester*	Worcester*

York*

The description of the state of commerce within the city of London, put into the mouth of John of the Exchequer in Chapter III., is based on the evidence of the Pipe Rolls, Charters, and ancient laws, supplemented by the authorities first above mentioned. In Chapter IV. I have made use of Wright's edition of *Miracles and other Latin Poems of the 12th Century*, for the miracle play of St. Nicholas, as well as of the treatise

De Arte Dialectică in the well-known text-book of Martinus Capellæ. I have also consulted for the purpose of these three chapters the numerous archæological works relating to London or the Church of St. Paul's, and the masterly hand-book of Mr. Loftie, to all of which I am naturally much indebted.

NOTES AND REFERENCES TO CHAPTER V.

THE Palace of Westminster was, since the Conquest, the principal though not the favourite residence of Anglo-Norman Kings. Perhaps even it merely shared with Winchester the reputation of being the chief official centre of the kingdom, but its importance was always increasing with the greatness of the capital, so that all imposing ceremonies must needs be held here whenever possible, from the reception of a foreign potentate down to the audience of the sheriffs at the two-fold session of the Exchequer.

I have spent much time in the attempt to reconstruct the ancient palace and its surroundings as they would have appeared at the date of this sketch, but without any real success. It is of course possible to trace the ground-plan of the main buildings from existing or recent remains, but we should find it difficult to realize the outward appearance of the palace in our present ignorance of its immediate surroundings, and still more to speak with certainty as to the plan of its interior arrangement. On the north side there was the great Hall of Rufus, with the line of buildings forming the old palace that stretched towards the south. We know from FitzStephen's account that the precincts of the palace were enclosed by battlemented walls, and it is also reasonable to suppose that the court-yards of either Hall contained certain secondary or domestic out-buildings; while on the eastern side there may have been then, as later, a garden extending to the river, with other buildings of a more substantial character, including of course the King's Chapel, the watch-tower mentioned in the *Dialogus*, and the Exchequer houses. Mention will be made of the latter in another place, and I will content myself here with noting certain entries which I have met with in the Pipe Rolls of this reign relating to the repairs or improvements effected upon particular occasions.

In the first place, we are able to gather from these entries that the palace was considered under five heads: the *curia*, or palace generally, or only the court-yard within the enclosure of the walls; the *aula*, or great Hall of Rufus, sometimes distinguished as the "Aula Regis dominicalis"; the *domus*, or residential portion of the palace; the *capella*, or King's Chapel, and the *scaccarium*, or Exchequer houses.

In the 8th year, there is a payment of £12 1*s.* 0*d.* for the materials for putting in order the King's Hall of Westminster.

In the 9th year, £3 7*s.* 0*d.* is paid for shingles to cover the King's Hall there, and £9 13*s.* 9½*d.* for work upon the same Hall.

In the 11th year, £19 9*s.* 7*d.* is charged for preparing the King's *curia* of Westminster, and the King's houses there.

In the 12th year as much as £190 for work upon the King's houses of Westminster, and one mark for 20 columns purchased in Oxfordshire for the said work.

In the 23rd year, 20 marks for the repair of the King's chamber at Westminster, and £5 1*s.* 0*d.* to make the King's wardrobe there.

In the 30th year, £3 11*s.* 8*d.* to repair the quay of the King's *curia* at Westminster, and £3 2*s.* 0. for raising the floor of the great Hall together with £4 12*s* 2*d.* for repairs of the King's houses there.

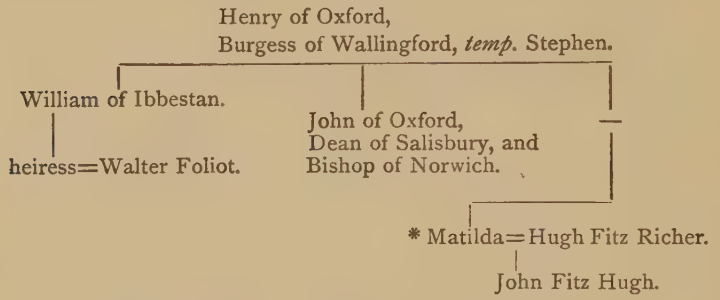
In the 31st year, £50 for work upon the lavatory in the King's Hall of Westminster. The "restoration" of this lavatory was commenced in the previous year, at a cost of £28. This was probably connected with the well-known conduit on the north-east side of the palace, reference to which is made for the first time in the 1st year of Richard I., as follows :—"In work upon the conduit of water in the King's court at Westminster—8*s.*"

Most of the operations above mentioned were carried out by Alnodus the "engineer," under the supervision of certain officers of the King's household. Alnodus figures in the London Pipe Roll almost every year, receiving sums of £7 or £10 on an average, probably for general services. He was also constantly employed in repairing the fortifications of the Tower of London. The smallness of most of the above sums leads us to suppose that the palace was merely patched up from time to time, usually on the eve of a royal progress to London. This was also the case with the provincial palaces at this date, which were regularly "cleansed" before the arrival of the Court.

Henry himself probably cared little for artistic displays, preferring, as these accounts show, to spend the sheriffs' balances in tents and warlike gear. The Tower received its first great restoration since the Conquest in the 2nd year of Richard I., when a remarkable and perhaps unique *rotulus de particulis*, attached to the London Pipe Roll, accounts for an expenditure of £2,500 within the year 1189–90.

The courtiers to whom the reader is introduced are among those who can be shown, or may reasonably be supposed, to have been in attendance on the King at this time. John of Salisbury, it is true, ought to have been engaged in the duties of his new see, but I have found it difficult to dispense with such a representative of English learning and statesmanship. It may be of interest to notice here the apparently authentic dedigree of another learned clerk, John of Oxford. This descent is given

in the *Testa de Nevill*, fo. 131, and I am enabled to give it here through the kindness of Mr. Round, who was the first, I believe, to discover it.



It was, doubtless, against official clerks like these two prelates and others, such as the Bishops of London and Ely, Richard FitzNigel and Richard of Ilchester, that Nigel of Canterbury aimed his terrible satire, dated somewhat later, but having special reference to this reign.

There are, he observes, some who have sworn to receive reverently, teach, and observe the apostolical doctrines and decrees. These they receive, it is true, and also teach, but how they observe them is manifest to all men. For either they affect to misunderstand their sense, or else they invent frivolous delays and excuses, and even pretend to question the authenticity of an obnoxious rescript. Finally, if they obey the instrument at all, it is from fear and not from love of the apostolic influence.

It will of course be evident that in respect of these charges the simple-minded monk of Canterbury was in unconscious partizanship with those who found a martyr in Thomas à Becket and suspected a tyrant in every secular lawgiver. His strictures upon the official abuses of the period are worthy of more serious attention. There is, he insinuates, one law for the rich and another for the poor, the result of the evil custom of invoking the aid of the law by a fine, so that the wealthy suitor may have his day assigned to him forthwith, whilst the poor may wait for seven years or for ever, though Cæsar should be easy of access to the oppressed; and it is written, "Judge justly, ye sons of men." But how can it be otherwise, he reflects, when these churchmen dress like gay courtiers, so that it is difficult to tell them apart, and are en-

* Mr. Round suggests that Matilda may have been John's niece in an ecclesiastical ense only.

grossed by earthly pursuits, regardless of the welfare of their souls or even of their bodies. "For does the knight swear; then so does the bishop, and with far stranger oaths. Does the knight follow the chase; the bishop too must go a-hunting. Does the one boast of his hawks; they are the other's only joy. Both ride abreast in the battle, and they sit side by side in the Court and Exchequer, fellow-students who are become brother officers."

Poet Nigel has some instructive anecdotes of his contemporaries in justification of these sweeping charges. In one of these he recalls the case of the churl who went into partnership with a priest in Archbishop Theobald's time, in the profits of a certain cure. But because the layman was obliged to let his clerical partner out of his sight during the service of the altar, he came badly off in the division of the offertories, until he contrived by an unworthy artifice to get himself ordained, enjoying a brief triumph ere this supreme scandal provoked the tardy interference of the ecclesiastical authorities.

Thus, the writer argues, holy things are suffered to fall into contempt by the supineness of churchmen, who are otherwise engaged in the race for wealth; in which some have perished through their feverish exertions, whilst others, more sedate, are not, however, less worldly-minded. Is it spiritual business, he asks, to sit at the Exchequer hearing accounts and confabulations from day-break to evening? There it is a matter of the saving of pennies not of saving souls; of laying up treasure in the Receipt, not of laying up treasure in heaven. A bishop can scarcely be prevailed on to officiate in church once or twice in the year, while daily he listens impatiently to a gabbled mass; but it is no trouble to sit at the Exchequer half the year all day and late into the night. If any one were to ask of a countryman, or other simple person, where such or such a bishop might be found, he would answer, either at the Exchequer or abroad on the King's business.

Our author himself heard some one say once, in Normandy, that now-a-days English bishops attended so assiduously to the business of the Curia and Exchequer, that it might be supposed they had been ordained thereto, instead of to the service of God. Does the law of God, which directs bishops to meditate day and night, also require them to hear accounts and to keep the Seal and the Treasury keys? Truly their church is the Aula Regis; their altar is the Exchequer table, and their Old and New Testament the old account of the sheriff and the new one.

In this sermon "against the courtiers" (for it is a prose essay capable of most effective delivery by an earnest preacher), Nigel of Canterbury

far surpasses his own more classical satires in verse. The local colouring (as in the reference to the Exchequer hours) is unique in its distinctness, for with all deference to the opinion of their learned editor, no serious student could possibly derive any material for social history from the Latin satires of the Middle Ages. Finally, it may be said that the whole subject is worthy of deeper attention than has yet been bestowed upon it.

It is believed that nearly all the gossip which has been reproduced in this chapter will be found, almost *verbatim*, in the several collections of the *Nugæ Curialium* of the period. The strictures of Nigel of Canterbury referred to above have been supplemented from the writings of Alexander Necham, and from the contents of the Papal Bull of 1179, on the State of Christendom. The subject is again introduced from another point of view in Chapter X.

The character of Henry II. has necessarily been touched on very lightly, but an attempt has been made to show how deeply his personality must have affected those who were brought into contact with him. I have not ventured on any original illustrations in point; but as some details may be looked for by the reader, I have thought that no apology is needed for quoting the Bishop of Oxford's matchless summary of the great king's character from a work so inaccessible to the general reader as his edition of Benedict Abbas in the Rolls Series of Chronicles and Memorials.

Character of Henry II.

"We see a hard-headed, industrious, cautious, subtle, restless man; fixed in purpose, versatile in expedients; wonderfully rapid in execution; great in organizing, without being himself methodical; one who will always try to bind others, whilst leaving himself free; who never prefers good faith to policy or appearances to realities; who trusts rather to time and circumstances than to the goodwill of others; by inclination parsimonious and retiring, but on occasion lavish and magnificent; liberal in almsgiving, splendid in building, but not giving alms without an ulterior object, nor spending money on buildings except where he can get his money's worth. As with treasure so with men, he was neither extravagant nor sparing; rather economical than humane; pitiful after the slaughter of battle, but not chary of human life where it could be spent with effect.

"He had the one weakness of great minds, without which no man ever reached greatness; never to be satisfied without doing or taking part himself in everything that was to be done, and he had not what may

be called the strength of little minds, inability to see good in what he did not himself devise.

"He was eloquent, affable, polite, jocose; so persuasive in address that few could resist the charm of his manner. He had the royal prerogative of never forgetting names and faces; he loved to encourage the retiring, and to repel the presuming. He was a most excellent and bountiful master. He was very faithful, both in friendships and enmities, where they did not interfere with his policy. He was not without elegant tastes; he loved the reading of history, delighted in the conversation of acute and learned men, like his uncles the Kings of Jerusalem, and his sons-in-law, William of Sicily and Henry of Saxony. He had a wonderful memory, well stored with the lessons of past times, and with the experiences of constant journeys, on which he was careful to see everything that was to be seen.

"He had little regard for more than the merest forms of religion; like Napoleon Bonaparte, he heard mass daily, but without paying decent attention to the ceremony. During the most solemn part of the service he was whispering to his courtiers, or scribbling, or looking at pictures His vows to God he seems to have thought might be evaded as easily as his covenants with men; his undertaking to go on crusade was commuted for money payments, and his promised religious foundations were carried out at the expense of others. His regard to personal morality was of much the same value and extent. He was at no period of his life a faithful husband, and when he had finally quarrelled with Eleanor, he sank into sad depths of licentiousness. He was an able, plausible, astute, cautious, unprincipled man of business. His temper was violent, and he was probably subject to the outrageous paroxysms of passion which are attributed to his Norman ancestors, and which, if they have not been exaggerated by the historians, must have been fearful proofs of a profane and cruel disposition, on which discipline had imposed no restraints.

"His personal appearance did not approach the heroic. He was slightly above the middle height, square and substantial, with a decided tendency to corpulence. His head was round and well proportioned; his hair approaching to red, sprinkled in his later years with white, but always kept very short as a precaution against baldness. His face is described by one authority as fiery, by another as lion-like. His eyes were grey, and full of expression, but rather prominent, and occasionally bloodshot. His nose was well-formed and denoted no more pride or fastidiousness than was becoming to a king. He had a short bull-neck, a broad square chest, the arms of a boxer, and the legs of a horseman (the author

does not say whether of a groom or of a cavalier). His feet were highly arched, but his hands were clumsy and coarse.

"He paid very little attention to dress, and never wore gloves but when he went hawking. He took a great deal of exercise, being both restless by habit and anxious to keep down his tendency to fat. He was a great hunter and hawker; he never sat except at meals or on horseback. He transacted all business standing, greatly to the detriment of his legs. He was very moderate in both meat and drink, cared very little for appearances, loved order in others without observing it himself; he was a good and kind master, who chose his servants well, but neither trusted them too much, nor ever forgave their neglect of his interests.

"The picture is not a pleasant one; in spite of his refined tastes and his polite addresses, he must have looked generally like a rough, passionate, uneasy man. But his frame, though not elegant, was very serviceable, qualified him for great exertion, and was proof against privation or fatigue. He was an adroit and formidable man-at-arms, but there was little at first to denote either the courteous knight or the skilful general, or the self-possessed intriguer, or the ingenious organizer, or the versatile administrator, or the profound politician."

The Establishment of the King's Household.

The famous regulations for the diet and other allowances of the royal household, which can be distinctly referred to the reign of Henry II., have been printed by Hearne in the original Latin from the text of the Little Black Book of the Exchequer. The result, however, is not very satisfactory, many errors and obscurities remaining unexplained. In fact, the Black Book text is considerably inferior to that of the Red Book of the Exchequer, which contains another and a much more careful transcript, and this text has been chiefly followed in the translation appended here, though the text of the Black Book has been collated with advantage. I have not thought it desirable to attempt a full annotation of this document. Hearne's notes, though clumsy and far fetched, are sufficient for general purposes; but it will be necessary to explain the reasons that have induced me to advance several new readings of the MSS., together with a few observations upon its historical importance.

The greatest stumbling-block experienced by Hearne in his annotation of the Black Book MSS., and after him by glossarists generally, was in respect of the word "Sal.," as it appears in this abbreviated form. Hearne, who did not always treat his MSS. texts with proper respect, seems to have jumped at once to the conclusion that by this abbreviation,

which appears in almost every entry in connection with an inferior sort of simnel, a *salted* loaf was implied, *i.e.*, "simenellus salus" or "salinus." Unfortunately, however, the occasional extensions of "sal." in the two Exchequer MSS. scarcely warrant this conjecture, in spite of the immense amount of learning which has been expended thereon. In the Black Book the word is twice extended, once as "salu." and again as "salci." The former extension has given rise to a still more learned theory in favour of reading "saluts," or loaves stamped with an angel.

The Red Book also gives two extensions, both as "salac." It has seemed to me, therefore, perfectly simple and probable to understand the word "salacii," dripping, or animal grease of some kind, in contrast to the more costly royal simnel, which may have been compounded with oil or butter. In fact, a simnel of this kind was probably very like a modern tea-cake, and I would even venture to suggest that the familiar "Sally Lunn," may be a survival of the "[simenellus] Salacii [die] Lunæ [pistratus]," *i.e.*, a simnel of dripping baked on Monday. It can also be shown that simnels were baked in the smaller ovens for pastry, and not in the ordinary bread ovens. Of course it is quite possible that salted cakes may be meant, but it is at least undesirable to ignore a repeated reading as completely as Hearne and his followers have done here. A very plausible alternative reading is perhaps "salarium," *i.e.*, regulation simnels, which accords with the continuous use of "expensabilis" and "consuetudinarius," throughout the MSS.

From the calculation made in this document of the number of loaves and simnels required for the royal household, we obtain a unique estimate of the number of its members. There were 270 of all ranks thus provided for, of whom 40 were allowed royal simnels, 150 the inferior sort of simnel, and 120 baker's loaves only. This distribution would seem to indicate the existence of three great classes, the first composed of the royal family, and great barons or dignified officials, the second of lesser courtiers and officers, and the third of serjeants or retainers and humble clerks.

It is possible that by "clear" wine, Rhenish or white wine is meant, this being a more expensive vintage; but more probably red wine ("claret"), old in cask, is intended. The inferior or household wine was that usually "taken" for the Crown by way of *prise* at a low rate, and was employed for garrison and domestic services.

The principal discrepancies between the texts of the Red and Black Books are in connection with the titles of the several officers, these being sometimes mentioned in the singular and at other times in the

plural number. As most of the important offices were at least duplicated, the matter is unimportant. It would be possible (as I have discovered) to identify almost all these officers with their more modern representatives, but I have obviously confined myself to a literal translation. It may be mentioned, however, that the "Escantiones," or "Butlers," whose position has given rise to some difficulties, may probably be identified with the "grooms of the Pitcher House," in the later household. The Black Book supplies the "Keepers of the wooden Cups," or "Mazers," who are omitted in the Red Book. The former also reads "omnis" before Poulterer; the reading of the Red Book, though not very clear, seems intended for "dominicus," which we should expect. A more important discrepancy is found in the entry for the "Ushers servants of the Bishop." The Black Books reads the "Ushers, being themselves knights," and inserts below, the "Ushers, not being knights," with food allowance only. The reading in the Red Book is very clear, *i.e.* "epi." for "ipi.," and as these officers are grouped in the marshal's department, it may be supposed that they were the "milites bajuli clavium thesauri" of the *Dialogus*, the Bishop being of course Richard Fitz Nigel, the Treasurer, who is himself mentioned as a member of the Household. Moreover, the interpolated entry in the Black Book mentioned above is obviously redundant, as Gilbert and Ralph named in the preceding entry are clearly designated as the non-knightly ushers.

I have also ventured to suggest "tailor" as a better reading than "counter," who would have appeared as "calculator," if any such office existed apart from the Exchequer. It will be seen that "hosiers" are mentioned in another place.

The value of this historical document is inestimable. It brings us into touch with the actual surroundings of the Angevin king, and possibly of his Norman predecessors, by affording a hundred clues to Court life which can be partially followed out by reference to contemporary Pipe Rolls and Charters. It is both strange that historians should have been so long content with the printed version of Hearne, and most desirable that a perfect text should be provided at the first opportunity.

This is the Constitution of the King's House.

The Chancellor.

Five shillings daily and one royal simnel, and two [of dripping,] and one sextary of clear wine, and one sextary of household wine, and one wax-candle and forty candle-ends.

The Master of the Scriptorium.

Formerly tenpence daily, and one simnel [of dripping], and half a sextary of household wine, and one thick candle and twelve candle-ends. But King Henry increased Robert de Sigillo by so much, that on the day of the king's death he had two shillings, and one sextary of household wine, and one simnel [of dripping], and one taper and twenty-four candle-ends.

The Chaplain, Keeper of the Chapel and Relics.

The entertainment of two men and four serjeants of the Chapel, each a double ration ; and two sumpter horses of the Chapel, each one penny daily and one penny to shoe them monthly. For the service of the Chapel, two wax-candles on Wednesday and two on Saturday ; and every night one wax-candle at the Relics, and thirty candle-ends ; and one gallon of clear wine at mass and one sextary of household wine on the Day of Absolution, to wash the altar. On Easter Day, at Communion, one sextary of clear wine and one of household wine.

The Clerk of the household bread and wine.

Two shillings daily, and simnel [of dripping], and one sextary of household wine, and one taper and twenty-four candle-ends.

Of the Stewards of the bread.

The regular Master Steward of the bread, if he shall eat without the king's house, two shillings and tenpence daily, and one simnel [of dripping], and one sextary of household wine, and candles fully.

Of the Sewers.

The Sewers the same as the Chancellor, if they shall eat without the house ; if within, three shillings and sixpence, and two simnels [of dripping], and one sextary of household wine and candles fully.

Of the Stewards serving in turn.

If without the house, nineteen pence daily, and one simnel [of dripping], and one sextary of household wine, and one thick candle and twenty candle-ends. If within, tenpence and half a sextary of household wine and candles fully.

Of the Naperers.

The Naperer, the customary ration. To his man, three half-pence daily, and one penny for a sumpter-horse, and one penny monthly to shoe him.

The Usher of the Dispensary.

The same, the sumpter-horse excepted.

The Counter of the Bread.

The customary ration.

Of the four Bakers serving together in their turn.

Two who serve in the house shall eat in the house; and two who go abroad shall have forty pence to procure a measure of Rouen for which they should render forty royal simnels and a hundred and fifty [of dripping] and two hundred and seventy baker's loaves. A royal simnel to four, one [of dripping] to two, and a loaf to each.

Of the Waferers.

The Waferer, the customary ration; and three half-pence to his man daily.

The Keeper of the Tables.

So much as the above; and besides this a sumpter-horse with his allowance.

The bearer of the Alms-dish shall eat in the house.

Of the Stewards of the Larder.

The Master Steward of the Larder, the same as the Master Steward of the bread and wine, and in the same manner.

Likewise the Stewards of the Larder serving in turn, like also as the stewards of the bread and wine serve in turn. The Larderers who serve in turn, the customary ration, and their man three half-pence daily. The Usher of the Larder the same. The Slaughter-men the customary ration only.

Of the Cooks.

The cook of the king's kitchen shall eat in the house. Three half-pence to his man.

The Usher of the same kitchen, the customary ration. Three half-pence to his man. The Keeper of the vessels shall eat in the house, and three half-pence to his man, and a sumpter-horse with his allowance. The Scullion of the same kitchen likewise. The Serjeant of the kitchen the customary ration only. The Cook and steward of the king's private family likewise. Ralph de Marchia, who was the cook, that is dead, before the king's death eat in the house, and three half-pence to his man.

Of the Great Kitchen.

The King's Poulterer, the customary ration and three half-pence to his man.

Two Cooks, each of them the customary ration. Three half-pence to their man.

The Serjeants of the same kitchen, the customary ration only.

The Usher of the Spithouse, the customary ration; to his man three half-pence.

The Turn Spit likewise.

Likewise the Keeper of the Dishes, and besides this one sumpter-horse with his allowance.

The Carter of the great kitchen, a double ration and for his horse a proper allowance.

The Carter of the Larder likewise.

The Serjeant who receives the venison shall eat within ; and three half-pence to his man.

The Master Butler, the same as the Sewer, and they have one allowance and in the same manner.

The Master Stewards of the Butlery who serve in turn, the same as the Stewards of the Dispensary who serve in turn. But they have more candle, because they have a taper and twenty-four candle-ends.

The Usher of the Butlery, the customary ration, and three half-pence to his man.

The Hosiers shall eat in the house, and to each of their men threepence.

The Butterer, the customary ration, and threepence to his men, and half a sextary of household wine and twelve candle-ends.

The Workmen of the Buttery, the customary ration only, but the serjeant besides this three half-pence to his man and two sumpter-horses with their allowances.

Of the Keepers of the Cups.

Four only must serve together in their turn, of whom two shall eat in the house, and each for his man three half-pence. Two other shall have the customary ration and likewise three half-pence to their men.

The Keepers of the Mazers a double ration only.

Of the Fruiterers.

The Fruiterer shall eat in the house, and three of his men.

The Carter the customary ration and allowance for his horses.

The Master Chamberlain is equal with the Sewer in his allowance.

The Treasurer as the Master Chamberlain if he shall be in the Court and shall serve in the Treasury. William Maudut fourteen pence daily, and he shall eat regularly in the house, and one thick candle and thirteen candle-ends and two sumpter-horses with their allowances.

The Porter of the King's Litter shall eat in the house, and to his man three half-pence and one sumpter-horse with his allowance.

The Chamberlain who serves in his turn two shillings daily, and one

simnel [of dripping], and one sextary of household wine, and one taper and fourteen candle-ends.

The Chamberlain of the Candles eightpence daily, and half a sextary of household wine.

The King's Tailor shall eat in his house and to his man three half-pence.

The Chamberlain shall eat in the house without allowance if he shall desire it.

The Water-carrier a double ration, and when the king goes abroad one penny to wring out the king's cloths ; and when the king bathes, threepence, except on the three feasts of the year.

Of the Washerwoman—doubtful.

The Constables have allowances like as the Sewers, and in like manner William, son of Odo, one royal simnel and one sextary of clear wine and one taper and twenty-four candle-ends.

Henry de la Pomerai, if he shall eat without the house, two shillings daily, and one simnel [of dripping], and one sextary of household wine, and one taper, and twenty-four candle-ends ; but if within, fourteen pence and half a sextary of household wine, and candle fully.

Roger de Oyli likewise.

Of the Marshalsea.

The Master Marshal likewise, namely, John. And besides this he ought to have vouchers of the gifts and allowances that may arise from the King's Treasury and from his Chamber, and he ought to have vouchers against all the king's officials as witness for all things.

The four Marshals who serve the family of the king as well clerks as knights and ministers, the day whereon they make a harbourage or abide without the Court in the king's business, eightpence daily, and one gallon of household wine and twelve candle-ends. If without, threepence daily for their man and a full candle. And if anyone of the Marshals shall be sent on the king's business, eightpence only.

The Serjeants of the Marshals if they shall be sent on the king's business, to each of them, daily, threepence. But if not they shall eat in the king's house.

The Ushers, servants of the Bishop, shall eat in the house ; to each of their men three-half-pence daily and eight candle-ends.

Gilbert Bonnehomme and Ralph shall eat in the house without any other allowance.

The Watchmen, a double ration; and to their men three half-pence daily and four candles, and besides this of a morning each of them two loaves and one dish of meat and one gallon of beer.

The Keeper of the Hearth shall always eat in the house, and from the feast of Saint Michael to Easter every day fourpence for the fire.

The Usher of the Chamber each day on which the king fares abroad fourpence for the king's bed.

The Keeper of the Tents shall eat in the house, and whenever he was to carry the tents, he used to have allowance for one man and one sumpter-horse.

Each of the four Hornblowers threepence daily.

Twenty Serjeants, each one penny daily.

The Keepers of the Gazehounds, each threepence daily and two-pence to their men.

And for every Harrier a half-penny daily.

The king's Mews eightpence daily.

The Knight's Huntsmen eightpence daily each.

The Cat Hunters each fivepence.

The Leader of the Limmers a penny.

A Limmer, a half-penny.

The Bear-ward threepence daily.

The Huntsmen of the Hart, each threepence daily, and of the great Hart four ought to have a penny, and of the small Hart seven a penny.

For the great Hart two men, and each a penny daily; and for the small Hart two men, and each a penny daily.

The Keepers of the Brachs, each threepence daily.

The Wolf-catchers, twenty pence daily for them and their men and dogs, and they ought to have twenty-four coursing dogs, and eight Harriers, and six pounds by the year to buy horses, but they themselves say eight.

Of the Archers who used to carry the king's bow, each fivepence daily; and other archers the same.

Bernard, Ralph le Bobeur, and their fellows each threepence daily.

NOTES AND REFERENCES TO CHAPTERS VI. AND VII.

THE description of the Spanish arbitration, which is the first real act of Court Life in the course of the present narrative, is chiefly derived from the chronicle attributed to Benedict Abbas, but really, as it is now fairly established, the work of Richard Fitz Nigèl The incident of the Westminster outrage, and the conviction of the guilty citizens, is equally historical, but the details of the supposed trial are supplied from a constitutional theory of criminal procedure which is wholly original and which is not intended to be orthodox or authoritative.

Richard de Anesti's narrative of his great lawsuit is taken literally from the existing manuscript, as printed and translated by Sir Francis Palgrave. It will be observed, however, that the episode of an appeal in the Roman Curia has been introduced, which also has been borrowed from a nearly contemporary narrative, namely, Thomas Marleburg's relation of his suit in the Evesham Chronicle.

Those who wish to study the subject of Anglo-Norman jurisprudence should consult Palgrave's "English Commonwealth," Stubbs' Preface to "Benedict Abbas," Pike's "History of Crime," and Professor Maitland's Introduction to vol. i. of the *Selden Society's* Publications, in connection with the Laws and Assizes of the period, and the companion treatises of Glanvill and Richard Fitz Nigel; and lastly, the Pipe Rolls themselves, which, as the Fee books of the courts, furnish a fairly complete list of Agenda.

For the assistance of those who have not any opportunity of consulting he Pipe Rolls, I have collected the various entries for the financial year 1177, in every county, in order that the subjects of trials in the King's Courts may be readily intelligible.

At the same time it should be remembered that it is not easy to istinguish between these presumably select cases and those which were tried ordinarily in the courts of the Barons or of the County and Hundred. Neither can we be positive as to the composition of the Courts in which the King or his officers presided, or as to their procedure. A little later, in the next reign, a series of meagre reports or records of cases abruptly begins, and from certain allusions in the *Dialogus* such ecords must have been known still earlier, though possibly not in any

continuous form before the reorganization of the Curia under Ranulph de Glanvill, in 1178.

It might be surmised from the evidence of the Pipe Rolls that the judicial efforts of the Crown in this reign were somewhat spasmodic. Pleas and conventions find their way at hap-hazard before the King or his justices, and rather by the private enterprise of the suitors than by an exact process of summons such as prevailed at the Exchequer. Even when these cases were before the Court, no trouble seems to have been taken to despatch them expeditiously. It is not too much to say that three-fourths of the judicial portion of the Pipe Rolls are made up of hopeless arrears of litigation or convictions, the remaining fourth amply representing the judicial work of the year. At long intervals we find active measures enforced for coping with a congestion of feudal license or an epidemic of crime. Good instances may be found in the rolls of the 12th and 22nd years, which record the proceedings under the two great criminal assizes of the reign. Then once more arrears accumulate and justice seems to nod until the rude awakening with the dawn of another reign. What is the meaning of this supineness? Can it be that the courtiers were "fishing in muddy waters" behind their master's back? Or was this easy-going justice more truly adapted to the wants of the age than the sweeping visitation recorded in the Pipe Rolls and Plea Rolls of the next reign?

Pleas and Conventions before the King or his Justices or Barons in the year 1177.

Devon.

New Pleas and New Conventions by the Justices at the Exchequer.

In the King's mercy (several)

Because he withdrew from his claim.

New Pleas and New Conventions by the King's Justices.

For unjust disseisin (2).

Oxford.

New Pleas and New Conventions by the King's Justices.

Because he had not one for whom he was pledge (11)

For a robber who escaped.

Because he denied what he before asserted.

For a disseisin.

For an unjust disseisin (2).

For a purpresture against the King.

For injury inflicted.
For a man drawn to the gallows who ought to have been hanged.

Pleas of the Court by the above.

For a disseisin contrary to the Assize.
For default.
Because he called the King to warranty and did not have him.
For license of making a compromise.
Because he did not make a return to the King's writ.
For a disseisin
For false summons.
For an unjust disseisin.
For occupying land unjustly in the King's town.

DORSET AND SOMERSET.

New Pleas and New Conventions by the King's Justices.

For royal fish (concealed).
For default of warranty.
For a false claim (2).
In the King's mercy (the whole county, a hundred, and individuals).
For sending a duel to the hundred that should have been waged in the County Court.
For compromise in an appeal (6).
For an unjust disseisin.

Pleas of the Court.

For recognition of dower against another.
To have his part of a fee.
For the land of A——.
For recognition of the fees of three knights.
For right as to the fee of one knight.
For right against A——
For respite of an oath.
For default (several).
In the King's mercy (for the forest).

WARWICK AND LEICESTERSHIRE.

New Pleas and New Conventions by the King's Justices.

To have the King's goodwill.
For the pledges of A.—B. (2).
For disseisins contrary to the Assize (7).
For the recognition of 3 carucates of land.

For unjust disseisin (4).
For concealing farms.
For wines sold contrary to the Assize.
For concealing the farm of A—— before the Justices.
For default (4).
Because he withdrew from his appeal.
For making stay at Leicester beyond the time ordained.
For default of warranty.
Because he had not one for whom he was pledge (2).
Because he did not accept the Assize which he had sought.
For concealment of a plea.
For license of agreement.

Pleas at the Exchequer.

For default of Appeal.
For unjust disseisin (3).
In the King's mercy (several)
For the pledges of A——.

Pleas of the Court.

To have seisin of A——.
In the King's mercy.

WORCESTER.

New Pleas, etc.

For a disseisin contrary to the Assize.
In the King's mercy (2).
To have his father's lands.

HEREFORD.

New Pleas, etc.

For an agreement about land.
For a disseisin contrary to the Assize.
For a rampart removed and a certain house, contrary to the Assize.
Because he did not essoign his son reasonably.

NOTTS AND DERBY.

New Pleas, etc.

To have a recognition of his wife's inheritance.
For a murder.
A frithborg and his fellows for not producing A.—C. (3).
To have right of the land of A—— against B——.
To plead seised of the land of A—— which B—— claims.

To have the King's goodwill.
Because he appealed A—— of treason and made default.
For the ending of a dispute between himself and A——'s sister.
For a false claim.
To have a recognition of boundaries between himself and A——.
For withdrawing himself from his appeal.

NORTHAMPTON.

New Pleas, etc.

Because he called the King to warranty and did not have him.
In the King's mercy for A.—Z. (several).
For waste of the forest in his baili-wick.
That our lord the King should stay his anger against him, and for the confirmation of his charters.
Because he took a wife in the King's gift without license.
For an unjust disseisin.
For default.
For license of compromising with A——.

LINCOLN.

New Pleas, etc.

For license of agreement with A——.
For default (4).
In the King's mercy, for royal fish (16).
For withdrawing from justice without license (2).
Because he had not one for whom he was pledge (2).
For sale of an inheritance.
For a false judgment.
For an unjust disseisin.
Because he swore in an assize of lands which he had not seen.
For a disseisin (7).
For default of an appeal (2).
For false swearing (3).
For a false claim (2).
For the pleas of A.—C. (3).
Because he pledged the land of A—— and because he received without license.
In the King's mercy (2).
To have an exchange of the lands of A——.
For license of compromising with divers merchants.
To have a recognition of land against A——.

For a recognition of land.
For a compromise with A.—B. (2
To have right done him.
For right in respect of his lands.
For license of compromising.
In the King's mercy for lead missing.
For the pledge of A——.

Pleas at the Exchequer.

For an unjust disseisin.
Because he withdrew himself from the Assize against A——
For a disseisin.

NORFOLK AND SUFFOLK.

New Pleas, etc.

In the King's mercy (7).
For a disseisin (11).
For a compromise with A——.
Because he denied what he had said.
For a compromise (2).
For a balk thrown down (10).
For a false claim.
For default.
For compromise of a duel.

ESSEX AND HERTS.

New Pleas, etc.

For a recognition.
For default.
For a disseisin (2).
In the King's mercy (several).
For a murder.

Pleas of the Court.

In the King's mercy (several).
In mercy, for his father.
To have the King's goodwill.
For right against A——.

SOUTHAMPTON.

New Pleas, etc.

For default.
For a murder.

Because he had not one for who he was pledge.
For wine sold against the Assize.
In the King's mercy (several)
A—— and his pledges in mercy (2).
A hundred in mercy.
A vill in mercy.
Because he impleaded the Abbess of W—— against the King's precept.
Because he did not have his warranty.
Because he disseised the wife of A——.

SUSSEX.

New Pleas, etc.

That the Assize should endure which the Chamberlain of Tankerville obtained against him.
Because he had not A—— for whom he was pledge.
For a disseisin against the Assize.
For a disseisin.
For wine sold against the Assize (20).
For a pledge.
For unjust disseisin (2).
For a fine for the partition of land.
For a fine made with the wife of A——.

CAMBRIDGE AND HUNTS.

New Pleas, etc.

For the pledges of an outlaw (2).
For the pledges of A.—Z. (numerous).
For the fine (or profit) of an escheat.
Because they carried corn by water without the license of the justices (49).
To have right (7).
For a disseisin.
Because he had not one for whom he was pledge.
Because he had not a certain woman to justice.

KENT.

New Pleas, etc.

For unjust disseisin (2).
In mercy for his father.
For a false claim.

For license of compromising (4).
For a disseisin (3).
For default.
In the King's mercy.
Because he had the land of A—— in time of war.

LONDON AND MIDDLESEX.

New Pleas, etc.

For a murder (5).
In the King's mercy (3 villages).
For being without pledge.
Because he had not one for whom he was pledge (5).
In the King's mercy for a watermill.
To have right in respect of 50 marks.

NOTES AND REFERENCES TO CHAPTERS VIII. AND IX.

The Site of the Ancient Exchequer at Westminster.

The Exchequer is perhaps more closely connected with the Archæology of Westminster than any other secular institution before the reign of "the English Justinian." It is true that from this date the ancient palace was the fixed seat of the Law Courts, in which the Barons' Chamber was thenceforth merged, but so long as the Curia and Exchequer were distinct, though parallel departments, the latter really monopolized the official establishment at Westminster. It may be urged, however, that in this archæological aspect the Curia is the older court, held here, possibly, in King Edward's day in the White Hall or Painted Chamber, and transplanted by the Red King to a more dignified habitation in the Great Hall with which it has ever since been associated. But it is obvious that this view of the matter entirely assumes the permanent or official establishment of the Curia at any one centre. In truth it had no such establishment, but followed the king from one palace to another, its members being for the most part "curiales" or "familiares" as expert as any Barons of the Exchequer, but differing from the latter in this important particular, that they had no *impedimenta* in the shape of a chequered table, a score or so of iron chests stuffed with rolls and books of reference, and equal number of binns full of tallies and writs for every English county, and a smelting furnace, but could assemble and decide off-hand a knotty point of law between sunrise and Chaplain Roger's hunting-mass.

Therefore the Great Hall of Rufus must not be looked on as the home of the Curia before the 13th century, for it was not necessarily used as a court-house, even when the Court happened to be at Westminster *de more*, or for any other purpose than a council, a coronation feast, or some other imposing ceremony. In any case, however, when the king, after some three days' stay, had recommenced the round of his more favoured hunting-lodges, Westminster knew the Curia no more until the next fitful visit of royalty, and absolutely no trace of its official existence was left behind except the Records of the Court, bundles of rolls and bales of writs, which appear to have been deposited in the

Treasury of the Receipt. Now it is the existence of the latter as an essential department of the Exchequer which constitutes the difference between this latter court and the Curia and explains the existence of a permanent staff under the Treasurer and Chamberlains at Westminster. The Barons of the Exchequer themselves were scarcely distinguishable, in the time of which we treat, from the Justices of the Curia. Both were equally "curiales" and "familiares," and the members of one court were equally versed in the routine of the other, up to a certain point. It is only here and there that an expert stands out as a specialist in jurisprudence or finance, a Glanvill or a Fitz-Neale. These Barons then made little longer stay at Westminster than their brethren of the Curia, though the period and scope of their work were rigidly marked out for them; but at the end of the short session they left behind them all the apparatus of their office in charge of their deputies, the clerical staff of the Receipt. The President and Constable and "curiales" of the pattern of Master Brown went to follow the Court; the Treasurer and Chamberlains to hover between the Camera and Treasury; while the legal Barons went on circuit in the provinces for the nice adjustment of scutages and assarts. The Marshal only was left with his prisoners and tallies to dispose of. But in the Lower Exchequer, or Receipt, the Deputy Chamberlains, the Treasurer's clerk, and divers clerks and serjeants would be found hard at work on occasion long after the Barons had adjourned. It is true that during the recess the majority of these clerks would return to their normal employment, being paid only for the session, those detained on the King's business being recognisable by the extra allowances awarded them,[1] but even so some regular official must be in constant residence at Westminster. Therefore, when the final act of the session is accomplished, that is to say, when, after compiling and checking (with much wrangling in their respective masters' honour) and sealing the summonses to the Sheriffs against the next session, the clerks and scribes of the Chancellor and Treasurer have returned to the Chapel or Scriptorium; when the four Tellers have started in charge of a treasure train of lumbering carts and great wooden hutches, that there may be no mysterious leakage of silver pennies, and the Deputy Chamberlains have donned armour and mounted horse as their escort to scare away marauders according to the terms of their office, and the remaining officials have taken a holiday like their betters, and finally the Marshal after having seen the Usher of the Barons' Chamber safely under weigh with the summonses to be served

[1] *Pipe Rolls* of the period, under "London and Midds." or "Hampshire."

upon the Debtors of the Crown in every shire, has himself departed to change the air of vaults and jails for the breezes of the Wiltshire Downs;—even then the permanent establishment of the Exchequer is represented by the Usher of the Receipt, who keeps the keys and goes the rounds of the building night and morning, while the domestic servants of the absent Usher of the Barons' Chamber give heed that there is no leakage through the tiles upon the chequered table, and that the moth and rust are excluded from the hangings of the walls, and the linen blinds of the windows,[1] being overlooked in turn by the keeper of the King's Palace, who is also warden of the Fleet Prison.[2]

So far the permanent existence of the Exchequer appears to be established, and these contemporary indications are confirmed by the unbroken evidence of its later history since the beginning of the 13th century. A difficulty now arises in locating this permanent establishment, at Westminster itself in the first instance, and subsequently at any particular site within the confines of the Royal Palace there.

The tradition of an earlier age has fixed the original site of the Treasury of the Kings of England, whether of the Saxon or Norman line, at Winchester, and with this Treasury the same tradition connects the first germ of an Exchequer or Audit of the revenue. The subject is one of great difficulty arising from the obscurity of description which characterizes the contemporary references to date and scene of action. But it is at least possible to evolve a reasonable theory in explanation of the conflicting evidence of an Exchequer and Treasury apparently existing at more than one centre during the reign of Henry II.

In the first place we must recognise the fact that the Exchequer was nominally as much a "deambulatory" Court as the Curia itself, although from obvious motives of convenience we find it usually fixed in one central spot. Thus we have instances in the reign before mentioned, and even later, of an Exchequer held at any one of the great towns or royal residences, without any further reason apparent than that it was required for the time being to "follow the King." We even find the chief contents apparently of the Treasury, bullion, plate, or regalia, and records, moved on several occasions with great labour, at a heavy expense, from Westminster or Winchester to the temporary abode of the Court, or even beyond the sea. The explanation is to be found in the purely personal rather than official nature of the establishment, which like the Curia had its first origin in the informal session of the King's household officers in the very Chamber of the Palace.

[1] *Pipe Roll*, 23 Hen. II. *et seq.*

[2] *Pipe Roll*, 9 Hen. II. *et seq.*

In the course of a century, however, this crude system had been refined upon, with the result, as we have seen, that both Curia and Exchequer had now an independent session, the places of those officials whose presence could not be spared from the household being supplied by deputies.[1] The Curia being unencumbered with official baggage could meet in one palace as well as another, to which circumstance we owe the well-known picture of the peripatetic suitor of the period,[2] while the place of the Treasury and Exchequer was supplied by the Camera or Ministry of the Privy Purse replenished by forestalling the farm of a local officer[3] or by relays of treasure from the old and new capitals, and audited by certain quasi-Barons of the Exchequer in their original capacity of gentlemen of the bed-chamber.[4] But it would still happen on certain occasions, the significance of which is in most cases now lost to us, that the King would be content with nothing less than the view of the whole operation around the chequered board and melting-pot, and in such cases there was no alternative but for the Barons to set in motion the long procession of treasure-wains or to commission the royal "smack"[5] for a passage across the Channel, convoyed in each case by the Deputy Chamberlains clad in unaccustomed mail.

Otherwise, however, the royal treasure was both audited and hoarded at Westminster or Winchester, and the only important point is which of these two capitals should be regarded as the official seat of the Exchequer and Treasury.

On some former occasions, in connection with the subject of the official custody of Domesday Book,[6] I attempted to decide this interesting question in favour of the Westminster site ; but though I was able to refer to numerous instances of an Exchequer and Treasury settled at Westminster in the reign of Henry II., it was pointed out at the time by a well-known scholar,[7] who supported the claims of Winchester with equal emphasis, that for every instance in favour of the former site, another equally conclusive could be advanced on behalf of the latter from contemporary records and chronicles. Therefore, according to the

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1 "Quia propter majora et magis neccessaria . . . . avelli nou possunt."—*Dialogus*, i. 5.

2 Palgrave, *Engl. Commonwealth*, ii. lxxv.

3 "Et in camera Regis per breve Regis."—*Pipe Rolls, passim.*

4 Camerarii, also called Milites or Barones, see *Fantosme* (Rolls ed.), line 2021–3.

5 The "esnecca Regis" of the Pipe Rolls.

6 *Athenæum*, Nov. 27, 1886 ; *Domesday Commemoration*, 1888 ; *Antiquary*, Sept., 1887.

7 Mr. J. H. Round in the *Antiquary* for June and July, 1887.

estimable practice of the "compendious Mr. Madox" in similar cases: "I leave every man to his freedom of judging therein as he shall see cause."

NOTICE OF AN EXCHEQUER AND TREASURY AT WINCHESTER OR WESTMINSTER IN THE REIGN OF HENRY II.[1]

1156	"Treasure" conveyed to	Cricklade and beyond sea from	Winchester.
,,	,, ,,	Shoreham	Westminster.
1157	Regalia ,,	St. Edmunds	Winchester.
1158	"Treasure" ,,	Carlisle	,,
,,	Regalia (and Tallies) conveyed to	Worcester	,,
1159	"Treasure" conveyed to	beyond sea	,,
1161	"Record Chest" ,,	London	,,
,,	"Treasure" ,,	beyond sea	,,
1162	,, ,,	,,	,,
1163	Plate ,,	Berkhamstead for Xmas	,,
1164	"Record Chest" ,,	London (Easter)	,,
,,	,, ,,	Northampton (Mich) [2]	,,
,,	Exchequer at Westminster (Michaelmas,)		
1165	"Treasure" conveyed to	various places	,,
1166	,, ,,	,, [3]	,,
1169	,, ,,	Southampton	,,
1170	,, (and Regalia) conveyed to	Southampton	,,
1172	,, conveyed during	the whole year	,,
1173	,, ,,	to Normandy *and back*	,,
,,	,, ,,	Winchester and elsewhere from	Westminster.
1174	,, ,,	,, ,, ,,	,,
,,	,, (and Hawks, etc.), conveyed during the whole year from		Winchester.

[1] Printed *Pipe Rolls* and Eyton's *Itinerary*, I have verified most of these from the original rolls.

[2] On the other hand, it has been argued that the Exchequer being known to be at London at Easter and at Northampton at Michaelmas, the despatch of this "Record Chest" from Winchester to both those sessions indicates a normal centre at the old Saxon capital. As a matter of fact the Michaelmas Exchequer was at Westminster, and therefore this chest had nothing to do with that Exchequer. I am convinced myself that it contained only certain Regalia, and as the King was in London at Easter (though not at the Session of the Exchequer), the whole proceeding is explained by the natural supposition that the chest in question, like the bulk of the contents of the Winchester Treasury "followed the Court," and was not required for fiscal purposes.

[3] And yet we find a suitor paying his fines into the Treasury at Westminster in these two years.

1175 "Treasure" conveyed to Gloucester from Westminster.
1176 ,, returned to London.
,, Charter dated at the Exchequer at Westminster.
1177 Easter Exchequer at Westminster.
,, "Treasure" conveyed to Winchester and back to London.
,, ,, ,, ,, from Westminster.
,, Treasury at Winchester has to be repaired.
1179 "Treasure" conveyed to London from Winchester.
,, ,, ,, Winchester ,, Westminster.
,, Plate ,, Southampton ,, Winchester.
,, "Treasure" ,, after the King ,, Westminster.
1180 ,, ,, to Woodstock ,, ,,
,, Dies ,, from Winchester and returned
,, "Treasure" ,, to London from Winchester.
,, Treasury implements purchased at Winchester.
,, Exchequer at Westminster, Michaelmas.
,, "Treasure" sent out from Westminster to different mints throughout England to be recoined and returned there.
1181 Plate sent out from Westminster.
,, "Treasure" conveyed to Winchester, where the King kept Xmas.
1183 Exchequer at Westminster.
1184 ,, ,, ,,
,, Charter dated at the King's chapel at Westminster.
1185 "Treasure" conveyed throughout England from Westminster.
,, Plate ,, ,, ,, ,, ,,
,, "Treasure" now sent direct to Southampton ,, ,,
1186 ,, ,, ,, ,, ,, ,, ,, ,,
,, New furniture for the Winchester Treasury.
1187 The Swords of ,, ,, ,, furbished.[1]
,, "Treasure" conveyed abroad from Winchester.

It must be remembered in connection with the term "Treasure," that two different species of Bullion were included therein, namely, coin and plate, including regalia and jewels. I have strong reasons for believing that both species were separately hoarded, as they undoubtedly were a century later, and that the Winchester treasury was especially designed to accommodate the latter until the middle of this reign, after which date the regalia, etc., were usually deposited in the Abbey of Westminster. The coined treasure, on the other hand, was throughout received and hoarded at Westminster in the Treasury of the Receipt, with the Seal and

[1] Mr. Round has kindly pointed out that these were the State swords used at Richard I.'s coronation. I had quite missed the point of the passage.

Records, being drafted thence as required into the Camera or Wardrobe. This accounts for no mention being made of regalia or plate in the inventory of this Treasury in the *Dialogus*, and we know that on another occasion the entire contents of the Abbey Treasury in 1303, valued at £100,000,[1] consisted of plate and jewels.

It may also be gathered from the above notices that there was undoubtedly a central Treasury at Winchester, but that in the majority of cases this was used as an emporium in connection with the transport of bullion (and especially the regalia and plate), as well as other supplies, *via* Southampton or other sea-ports to the Continent during the almost incessant wars of the first twenty years of the reign. After the great rebellion of 1173–4, however, a great change seems to have taken place, coinciding with the reorganization of the Curia and Exchequer in the interests of the Crown and the prominence of the official element which had its permanent headquarters henceforth at Westminster.[2] Again at the end of the reign, on the renewal of the war, the Treasury at Winchester was once more utilized, but having fallen into decay it required certain structural repairs and a new plant, for the Treasury swords actually required to be cleansed of the rust which they had contracted during the ten years that the Chamberlains and Clerks had been in permanent residence at Westminster. I do not, however, rely so much upon this view of the position of the Exchequer and its belongings, as upon certain independent notices which seem to me to offer conclusive evidence in favour of the Westminster site during the great part of the reign.

It is evident from the description of the author of the *Dialogus*, himself the King's Treasurer at this time, that the Exchequer and the Treasury were both at one place. Thus he states that there were in the Treasury certain records and regalia which he specifies, and which were used in the "daily business of the Exchequer."[3] And again he says in several places, and most distinctly, that the Great Seal was kept with the above in the Treasury, which it never left except when it was carried from the Tower to the Upper Exchequer to be used by the Barons, leading us to suppose that the Treasury was contained in the Receipt.[4] Finally, he fixes the position of this Exchequer at Westminster by the mention of a payment for ink for the whole year in both Exchequers made to the Sacristan of St. Peter's, Westminster.[5] We have also the evidence of the Pipe Rolls from the twenty-second year of the reign for the

[1] Pike's *History of Crime*, vol. i. pp. 199–202.
[2] Stubbs' Preface to *Benedict Abbas* (Rolls Series).
[3] *Dialogus*, i. 14. [4] *Ibid.*, i. 5; i. 14. [5] *Ibid.*, i. 3.

regular allowance of woollen and linen cloth and other furniture for the several chambers of the Exchequer out of the farm of London. Finally, there is the unique statement of a suitor of the period, verified by the Pipe Rolls, that he paid certain sums into the Treasury of the Receipt of the Exchequer in the 11th and 12th and 13th years of the reign, and it can be shown by a curious coincidence that he made these payments at Westminster.[1] I have collected many other evidences of the same kind, but like those already mentioned, they all point to the same conclusion, namely, that whenever the position of the Exchequer is mentioned, which it rarely is, it will be found to be at Westminster, except on those rare occasions, when, like the Curia, it followed the King. I now come to the remaining point, and here I should like to say that I offer an opinion with the greatest diffidence upon the archæology of Anglo-Norman Westminster. The position of the Exchequer, therefore, which I shall attempt to fix, must be looked on as purely conjectural, for although the cumulative evidence in support of it is very strong, we are, I believe, absolutely devoid of any direct allusion to this site before the end of the 13th century.

The original position of the Exchequer chamber seems to have been on the north-east side of Westminster Palace. There is indeed nothing to prove this except the immemorial tradition of the position of the Receipt in that quarter, and the fact of the later transfer of the Exchequer Court to the north-west side of the Hall of Rufus after the incorporation of the Barons' Exchequer with the Common Law Courts. We may assume, however, that the "House of the Exchequer" was situated in the New Palace and not in the Old Palace. The former was admittedly an abortive product of regal ambition extending (in spite of Stow's ambiguous reference) no further than the Great Hall.[2] This then was used from the first as an official apartment, and before long other buildings of an equally formal character were grouped round it, including, in the middle of the 12th century, a State Chapel and the Exchequer House. On the west side of the Hall of Rufus there may have been some temporary buildings, though it is difficult to conjecture their official use, for the Constabulary and the more domestic offices of the Household dignitaries were probably located in the basement of the old Palace. There was one other building within the precincts of the New Palace,

[1] *Exchcq. T. of R.*, $\frac{60}{43}$.

[2] It is not clear whether the Council Chamber (afterwards the Star-Chamber) was part of the original extension of the New Palace here referred to. We first hear of "new houses" on the north-east side under Edw. III.

which has a greater interest than any other in connection with the Exchequer. This is the specula, or watch-tower, "near unto the river Thames," in which the author of the *Dialogus* sat when he was "in residence" at Westminster.[1] This tower may be with some confidence identified with the Norman structure which formerly abutted on to the east side of the Great Hall. It may possibly be further identified with certain "chambers" which we know were provided for the convenience of the Barons at a slightly later period. This tower, communicating directly with the official staff of the King's chapel, and also with the Curia and Camera in the interior of the Old Palace, and directly overlooking the Exchequer House with its precious contents, is the real key to the position of the ancient Exchequer. The description of this tower as "juxta fluvium" may have been necessary to distinguish it from another tower at the south-west angle of the Old Palace walls, being indeed the point farthest removed from the river, and which might be described in contra-distinction to the others as "juxta ecclesiam." The restored building of the Confessor was in Norman and Angevin times the residential portion of the Palace of Westminster. This contained the King's houses, that is to say a suite of "chambers," on the first floor, as the name implies being placed over the low vaulted "cellars" which were then probably used as such, and as the offices of the several household functionaries. The kitchens and stables and slaughter-house, etc., were more probably distinct from this block which formed the east wing of the Old Palace. The communication between the old and new palaces was apparently at the north end of the same wing, but the direct route from one enclosure to the other was no doubt by a path or covered way from the north-east side of the old or white hall. This gave access to the gardens and the river equally, or by passing through the west door of the Chapel to the Watch Tower and Exchequer House and the south-east side of the New Palace yard. But whatever may have been the exact situation of the Exchequer House, we are enabled to form a fairly good idea of its interior plan from the description of the *Dialogus*.

Here we have a superior and an inferior Exchequer, both apparently contained in the same building, for though the appellation of Upper and Lower may have been merely used to designate their respective importance, we cannot ignore the descriptive sense of those terms where majus and parvum would otherwise have seemed more appropriate; and, indeed, we find that the Upper Exchequer is also called majus (just as its officers were called majores) when it was desired to describe its

[1] *Dialogus*, i., Preface.

importance rather than its position. Moreover, there are several references in the *Dialogus* and elsewhere to the Exchequer House (*Domus Scaccarii*) as a single building. In the account of the trial of the Pyx given in the above-mentioned work, we also find that the Assayer carried the Pyx, containing the sample coins selected by him from the heaps undergoing the process of counting and weighing in the Receipt, from the Lower to the Upper Exchequer, and after the coins had been examined, and the Pyx sealed by the Barons, he returned as it would appear, accompanied by the overseers nominated on both sides, once more to the Receipt, where the Smelter, "forewarned" of their approach, had fanned his furnace to the necessary heat. Then, as soon as the operation was fairly accomplished, the party returned to the Upper Chamber to weigh the molten silver in the presence of the Barons. Each Exchequer was probably divided into two chambers, the Upper containing the Court-Room and Council Chamber, and the lower a Counting-House, also used as a Scriptorium and a Treasury. There were two Ushers or Doorkeepers, the principal one of whom held a quasi-hereditary office in the Upper Exchequer. It was his duty to admit only those who had business to the "outer chamber," and none but the Barons to the "inner chamber." It is significant that throughout the reign we find this officer paid out of the farm of London. The Usher of the Receipt was specially charged with the custody of the Treasury door, and he also provided all the necessary implements at a fixed rate, including ink, purchased by him from the Sacristan of Westminster. Especial emphasis is laid in the *Dialogus* on the fact that unlike every other member of the Exchequer, the Usher of the Upper Barons' chamber (who was employed at the close of the session in serving the new summonses on the Sheriffs), the Usher of the Receipt was employed as a permanent domestic servant of the Treasurer and Chamberlains. This is a proof that the Exchequer Treasury formed a permanent department at Westminster, and thus disposes of the suggestion that after the session the officers of the Exchequer were transferred to Winchester, together with the contents of the Treasury. It was probably also the duty of the senior Usher to see that the Barons' chambers were duly swept and aired during the recess, for we read that he was assisted in his duties by the servants of his family. In a record of the fifth year of Edward II. we read that the Barons sent for the two ushers of the Exchequer at Westminster before the recess, and directed them as to special precautions to be taken for the custody of its contents, and this later notice may be fairly considered as explanatory of the earlier practice indicated in the *Dialogus*.

It will not perhaps be necessary to multiply instances of this nature. I have carefully refrained from attempting to trace anything more beyond the bare outline of the position of the Exchequer at Westminster, fearing to lessen the value of the authentic evidence available, however meagre, by combination with the more copious but hopelessly confused details which exist from the thirteenth century onwards, when, through disastrous fires and ambitious schemes of reconstruction, the external position and internal arrangements of the ancient houses were changed beyond all hope of recognition. The nature of the principal changes that were made in the official economy of the Royal Exchequer can, however, be roughly ascertained, and will be found to consist in the complete separation of the Barons' Chamber, now dignified with the real instead of the honorary appellation of a Court, from the Lower Exchequer, and its removal to more commodious premises on the opposite side of the Great Hall. The Receipt, however, still retained its ancient site until comparatively recent times, now occupying, apparently, both floors of the Exchequer House, and administered by an augmented and more dignified official staff, but retaining with the new establishment all the ancient usages and practice of the old, so that at the present day we are able to verify the descriptions of the *Dialogus* from existing records, whether of the Queen's Remembrancer or the Lord Treasurer's, whether of the Exchequer Court or the Treasury of the Receipt.

Such was the position of the Exchequer at Westminster as I have liked to figure it to myself from the time of Chaplain Roger to that of Archdeacon Swereford.

The Sheriffs' Accounts.

The authorities used for the description in Chapter VII. of an Easter Session of the Exchequer are the Pipe Rolls of the reign and the *Dialogus de Scaccario*. Further details may be found in Madox and in an essay on the System of the Exchequer contributed by the author to the Introductory Volume of the Pipe Roll Society's publications (vol. iii.). The items of the Southampton Account, which form the subject of the Justiciary's comments, are of course taken from the actual Pipe Roll of 1177.

NOTES AND REFERENCES TO CHAPTER X.

In this chapter the subject of the abuses of the Court is further developed, Master Walter Map being as before the mouthpiece of those more serious and impartial critics who were able to distinguish between the merits of Henry's good intentions and the defects of his actual administration. Without needing the assistance of a scandalous chronicler like Ralph Niger, or of an interested eulogist such as Richard FitzNigel, it is possible to read between the lines of the received history of the reign by reference to official remains and to the friendly criticism contained in works like the "Polycraticus" of John of Salisbury and the "De Nugis Curialium" of Walter Map.

It is true that we have only a suspicion of the "tyranny" hinted at in the text, which would by no means justify an attempt at a destructive review of Henry's policy; but for all that a disagreeable impression is left upon our minds by a comparison of these sinister rumours with certain historical incidents of the reign. The crisis of the reign, in the great rebellion of 1173–4, may be thought by a close observer of the personal antecedents of the respective partizans to have been provoked by something more than a stern insistance on the essential conditions of civil government. Even the most unpopular agents of the new *régime*, the heartless pedants of the Exchequer, were capable of a lively resistance to any reform of obvious abuses within their privileged body. On such occasions the official advisers of the Crown were "Achitophels" and "serpents," while they could listen sympathetically to a colleague's denunciation of royal "bloodhounds." But when that colleague took up arms for the redress of the real or fancied grievances of the Church, the baronage, and the commons, he was unhesitatingly condemned by them as an "unnatural" traitor. If Henry II. was not a tyrant, he was certainly a bully, and worse than that, a maintainer of lesser bullies, the courtiers or familiars whose characters have been so unsparingly exposed even by writers of their own party. The serious breach of the peace between the followers of Bertram de Verdun and the Earl of Leicester on the eve of the great outbreak is remarkably significant, and perhaps only a typical case, which here found its way into the law courts.

On the whole, however, the merits of the rebel cause can scarcely

be ascertained at this day. To us they must appear as selfish feudalists, in the absence of any evidence of a definite programme which would qualify them for the title of reformers. Like many earlier and later agitators, they have in fact suffered at the hands of courtly historians whose version of the affair has alone survived. It is enough if our complacent hero-worship of their great adversary is tempered by a suspicion of Map's sincerity and Dean Wido's guiltiness.

I have introduced in this chapter a tale of the civil war such as must have been commonly in the mouths of professional reciters of the period. Here indeed I have ventured to give a mere abridgment of Jordan de Fantosme's famous romance, which the author was probably accustomed to recite in a more condensed form than that in which it survives in the unique MS. so admirably interpreted in the Rolls' edition by Mr. Howlett.

NOTES AND REFERENCES TO CHAPTERS XI.–XIII.

In these chapters I have attempted to describe certain historical scenes within a typical English monastery at the precise date of this narrative.

The circumstances introduced here are all such as actually occurred on the authority of the contemporary chroniclers, and the personages of the story are equally real; while I have laboured hard to represent the local surroundings as faithfully as my imperfect knowledge of ecclesiastical antiquities permitted.[1]

The story of Waltham Abbey is chiefly derived from the Bishop of Oxford's Edition of the "Inventio Sanctæ Crucis apud Waltham." The arbitrary dissolution of this house in the manner related in the text has been almost unanimously condemned by contemporary and modern writers.

The description of St. Alban's is taken from original MSS. and local histories and personal observations. Matthew Paris is of course the great authority for the lives of the Abbots and events connected with the Church. In one important particular, however, I have rejected his statement, namely, as to the date of the Invention of St. Amphibalus, which he places in the year 1178, though the contemporary chronicle of Benedict Abbas assigns the date to the year of our story.

Alexander Necham, the brilliant author of the "De Naturis Rerum," has been introduced as a visitor to his native abbey and as the trenchant satirist of the Nugæ Scholarium; though in this matter he was not far in advance of Nigel of Canterbury.

The legend of St. Godric, and the account of the several miracles performed on the occasion of the Invention of St. Amphibalus, have been related almost in the words of the contemporary historian, with a view to preserving as much as possible the inimitable *naiveté* of the original narrative.

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[1] I have particularly to acknowledge a debt of gratitude to the works of Dr. Jessop and Canon Mackenzie Walcot, as well as to Mr. Macray's edition of the Evesham Chronicle in the Rolls Series.

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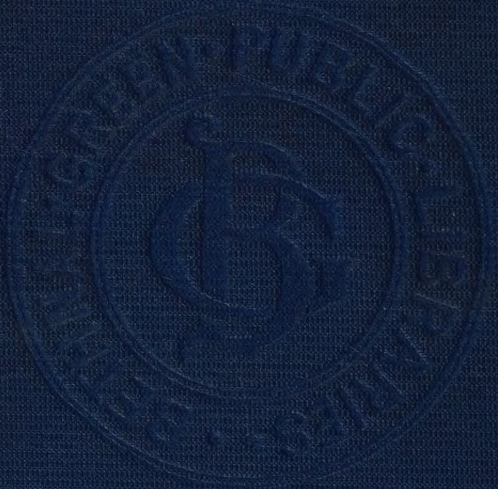
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